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BULLETIN of the SOCIETY FOR THE PROTECTION OF EAST ASIANS' HUMAN RIGHTS

Poet in Pyongyang

By ALI LAMEDA

The author of this account is a distinguished Venezuelan poet, well-known in the Spanish-speaking world. A member of the Venezuelan Communist Party, he was invited to go to the Democratic People's Republic of Korea in 1966 to manage the Spanish section of the Department of Foreign publications.

In September 1967, at the age of 43, he was arrested and detained without trial. After twelve months he was "released" and held under house arrest for a time, but was subsequently rearrested, tried, and sentenced to twenty years' imprisonment as a "spy." He was freed in 1974, after having endured more than six years of atrocious ill-treatment.

We fear that this case is unusual only in that it involved a foreigner who had international attention focused on him. Still, because so little concrete information about human rights violations in North Korea is available, this account warrants careful attention. We are grateful to Amnesty International (which campaigned actively for his release) for supplying us with Sr. Lameda's story. (Remarks in brackets are supplied by SPEAHR.)

To understand fully my experiences under detention in North Korea, it is necessary first to explain a little why I was in Korea, and the prevailing atmosphere in the country from the point of view of a foreigner. This will perhaps indicate some of the limitations of my experience and knowledge.

During the time I was working in Korea, at the invitation of the North Korean government, I was almost totally isolated from Korean people generally. I dealt only with certain individuals, who were responsible for my work and worked directly with me. No other personal contact was possible. Apart from the Koreans who worked in the Department of Foreign Publications in Pyongyang who supervised my work, I did not have regular communication with functionaries of the governing North Korean Communist Party.

(Continued on page 22)

Editorial

CARTER IN SEOUL

Two cheers for Jimmy Carter's defense of human rights during his visit to South Korea early this summer. (Three cheers, had he not made the trip at all.)

When Carter was elected U.S. president in 1976, many Koreans wept for joy. He had, after all, promised to make human rights the cornerstone of his foreign policy. But that jubilation gradually subsided, and then turned to bitterness, as the new administration appeared to exempt South Korea from its human rights standards, and seemed intent upon bolstering the dictatorship of Park Chung Hee.

On the plus side, it must be acknowledged that Carter did not totally ignore the subject of human rights during his visit. At a dinner he expressed the belief that the country's economic achievements "can be matched by similar progress through the realization in human rights." He pointed to the growing consensus regarding the importance of political freedom and the rule of law, adding his view that "the free expression of ideas stimulates innovation and creativity." In apparent response to the government's claim that in the face of the threat from North Korea dissent is a luxury that cannot be afforded, Carter maintained that "the right to participate in the political process helps to unite a country in the pursuit of common goals" (FEER 13j).

Most South Koreans—certainly the hundreds of political prisoners—would agree with these sentiments.

(Continued on page 25)

The boxed quotations in this issue of *SPEAHRhead* are all from the publications of the Enlightenment Society (Qimeng She), one of the groups in China which have been seeking to promote democracy. The passages are taken from a forthcoming book *The Fifth Modernization: Documents from China's Democratic Movement, 1978-1979*, edited by Mab Huang and James Seymour, to be published this winter by Earl Coleman Enterprises, Pine Plains, New York.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

On December 10, 1948, the General Assembly of the United Nations proclaimed this declaration as "a common standard of achievement for all peoples and all nations."

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11. (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country,

including his own, and to return to his country.

Article 14. (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15. (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16. (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17. (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20. (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25. (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27. (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29. (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

CHINA: "UNREASONABLE DISCIPLINE"

The following is from a report by the Communist Party Committee of Yuanping County in Shanxi (Shansi) Province. This excerpt concerns the case of a high school teacher who had committed political errors in the course of his teaching (PD15+17M78).

We discussed the case at the Standing Committee three times. In the struggle to oppose rightists, the teacher committed a political mistake. He later also made some erroneous remarks while lecturing. During the campaign to purify the ranks in 1971, he was arbitrarily condemned as "intentionally spreading poison and sabotaging revolution in education." The teacher was so upset at that time he attempted to commit suicide. He was then charged with the crime of "attempting to reverse verdicts and commit suicide and opposing the campaign" and dismissed from his post as a public functionary.

At the first reexamination of the case in 1974, the ideas of the members of the Standing Committee were not unified because the "gang of four" conducted the campaign to criticize Lin Biao and Confucius in their own way and the verdict on the teacher was maintained.

In 1976, we reexamined the case for the second time, however, because the "gang of four" went all out to criticize the so-called "evil wind to reverse verdicts" and "restorationists," we dared not change the verdict [even though] we considered some data of the case contrary to fact.

In 1977, after exposing and criticizing the "two assessments" concocted by the "gang of four," we conducted the third reexamination of this case. This time we unified our thinking: Following the campaign to oppose rightists, the teacher had given a fairly good account of himself. He had made some erroneous remarks due to his lack of understanding. He had attempted to commit suicide because he did not fully understand the campaign. His remarks and actions were not directly connected with reversing verdicts.

We have finally changed the erroneous conclusion on him, restored his post as a public functionary and given him all the wages unreasonably retained when disciplinary action was taken against him.

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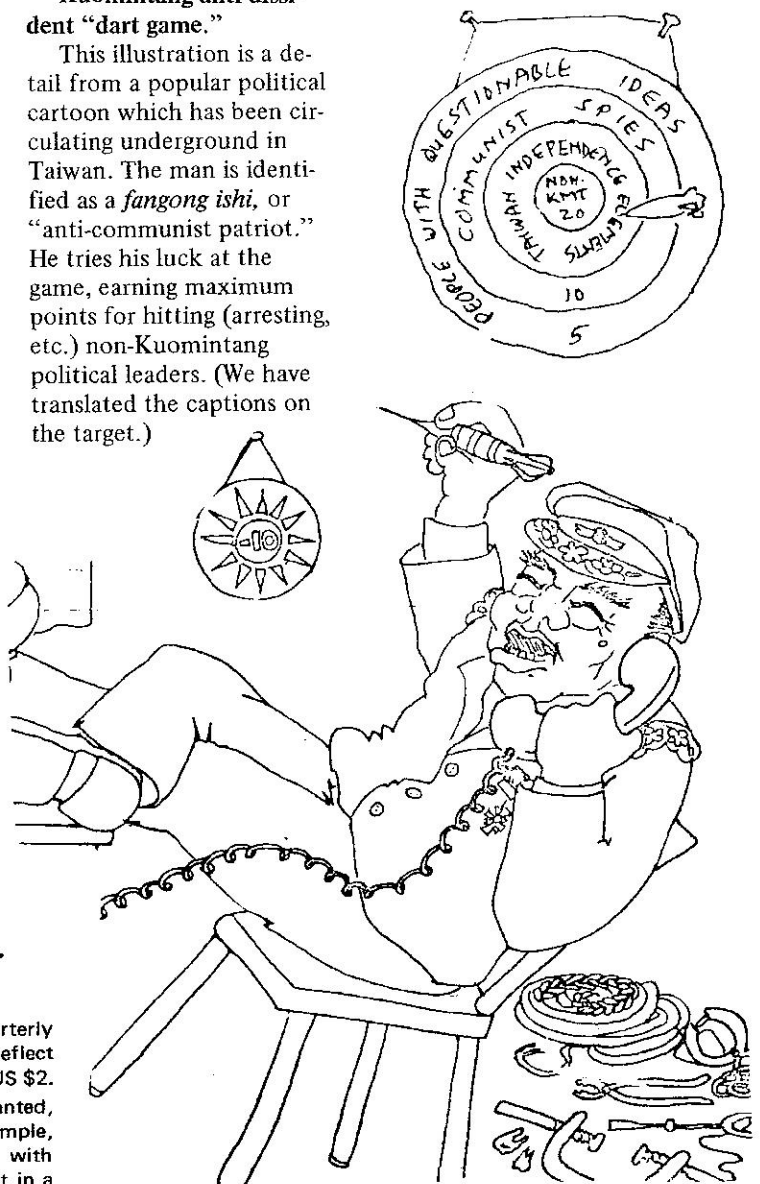
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"Demonstrations that are organized, planned and ordered by the government are meaningless. They cannot truly reflect public opinion . . . and only arouse opposition, disgust and anger."

Kuomintang anti-dissident "dart game."

This illustration is a detail from a popular political cartoon which has been circulating underground in Taiwan. The man is identified as a *fangong ishi*, or "anti-communist patriot." He tries his luck at the game, earning maximum points for hitting (arresting, etc.) non-Kuomintang political leaders. (We have translated the captions on the target.)



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ELECTIONS FOR CHINA?

The "genuine elections" called for in the Universal Declaration of Human Rights [21] have never been held in the People's Republic of China. However, there is a strong desire on the part of many people that such elections be held, and some signs that, at least at the most basic levels, elections may be becoming more meaningful than they have been in the past.

It is, of course, one of the main demands of the democratic movement that China's leaders, both national and local, be elected (BJ5†8I). Such sentiments had already been expressed among leftist circles in Hong Kong (26†27N78).

More surprising have been calls in China's official media for such reforms. Last October 9 a writer in *People's Daily* admitted that past elections had not always been democratic, and urged that this situation be changed. "The masses want genuine, true democratic elections, not something fictitious or in word only."

More recently, *Worker's Daily* urged that the heads of factory workshops, sections, teams and shifts be democratically chosen. However, it was acknowledged that several impediments existed, including the "suspicions of the masses that elections will continue to be rigged." But people must learn through practice, the paper said, even though "some of the first elections may prove a failure" (BJ18†22M).

Regarding the village level, also, there has been some discussion in *People's Daily* on the need for democratic elections. "Democratic rights must be returned to the masses so that they can elect the people they like" (PD-1D78).

An article in *Beijing Review* (1J) has even argued that not all aspects of "bourgeois democracy" should be dismissed as reactionary.

Will China's leaders do more than simply think about it? Will they institute the procedural requisites to democratic elections? If they do not, it will not be because they do not understand what is required. There have been repeated calls for secret ballot, not only from spokespersons of the democratic movement (TK27†28N78), but also in the official media (BJ9†17o78). Indeed, it has been claimed that some leaders at the most basic levels have already been chosen by secret ballot—a shop director in Shanghai's largest printing and dying mill (BJ17†21N78), a production team head in a Sichuan village (19†27N78), etc.

Secret ballot alone would not mean that the elections were democratic. We have seen no indication that voters have any choice in these elections. But it has at least occurred to a few officials that it might be appropriate to give the voters some opportunity to select among candidates. Apparently referring to elections of delegates to government bodies and also to elections within the Party, Heilongjiang Party Secretary Chen Jun-

sheng has suggested that there be more, perhaps 25 percent more, nominees than positions to be filled. Of course, in nominating candidates, there would have to be "consultation," and Chen apparently had in mind that the form of elections be meetings (BJ21†22I).

In the past, whenever the leadership was uncertain whether it could totally manipulate the result of an election, the election has simply been postponed. But now Chen calls for elections to be held on schedule. And in a campaign people should be permitted to criticize anyone, even the highest officials in the land.

Some have gone beyond calling for elections, arguing that citizens should be able to recall officials who did not measure up in office. Thus, *People's Daily* reprinted a *China Youth* article maintaining that "a legally effective recall system" should be instituted, so that the public would have "a real, not merely nominal" right to dismiss incompetent officials (BJ13†15N78).

But when it comes to fulfilling the mandate of the Universal Declaration's Article 21, China, and all the countries of East Asia except Japan, have a long way to go.



It is possible that China is seeing some improvements in elections procedures (see story). But until now, at least, the only time when the Communists' elections were reasonably democratic was in the 1940s, in the "red" areas of the country. The above is a woodcut by Yan Han depicting a village election of that period. The title of the woodcut is "Election by Beans." (Illiterate farmers voted by dropping beans in bowls behind the candidates.)
BR15J

"[In the view of China's pre-1977 leaders], 'class struggles' were everywhere . . . and everywhere were hypothetical 'enemies' who in fact existed only in their minds. They used this to confuse the opinions of the masses in order to uphold their vicious rule. Their 'enemies' were numerous. Writers and artists who thought were their enemies. Scholars, professors and editors who dared 'contend' and air their views were their enemies. Musicians, painters and film actors and actresses who had originality and dared express their own personalities were enemies. People who were not blindly faithful to the idols and were brave enough to uphold the

truth and explore the forbidden zones were their enemies. In short, courage and conscience were their enemies, and everyone who was unwilling to be among the 'enmeshed,' who were bold enough to think, to speak up and work, and whose thinking really broke through the cage, were their 'enemies.' Such people could be persecuted and suppressed in large numbers. [The leaders] just wanted people to think in their meshes, live in their meshes and spend their lives in their meshes. Otherwise, you were 'antiparty and antisocialist' and you were 'rightists,' 'counterrevolutionaries' and 'bad elements.'"

LI-YI-ZHE

In our Spring issue we carried a lengthy discussion of three men known by their collective pen name Li-Yi-Zhe, who had been released from prison around New Years Day. The men were fully rehabilitated in February, and encouraged to meet with foreign newsmen and students (*FEER* 11m).

Li Zhengtian, Chen Yiyang and Wang Xizhe, all now in their early 30s, had become folk heroes in China and in certain circles abroad (particularly in France) for having outwitted their interrogators in 100 public "struggle" sessions in 1974-75.

Now the three, whose backgrounds range from art to boiler-making, are engaged in research on the Cultural Revolution. Their preliminary estimate, they say, is that 40,000 were killed in Guangdong alone (*NYT*24M).

As for who bore responsibility for the imprisonment of the men (who were formally convicted only in March 1977, *after* the removal from power of Jiang Qing, Wang Hongwen, Zhang Chunqiao, and Yao Wenyuan), one provincial leader has placed the blame squarely on the Guangdong Party Committee (7†9F).

MARKETPLACE OF IDEAS

How many Chinese read the dissident literature which has been published in China? We cannot know for certain, but we do know that the movement is not limited to a handful of Peking intellectuals. Last winter "democracy walls" like Peking's could be found in most large cities (HK21†30I).

But the print media are in some ways more important than the wall posters. People are afraid to be seen reading the posters, but a pamphlet can be taken home, read carefully, and discussed with trusted friends. The publication with the largest circulation appears to be *Reference News for the Masses* (The name is taken from *Reference News*, a secret government newspaper which, unlike the public media, carries a substantial amount of real information.*) In January, *Reference News for the Masses* was said to be printing 20,000 copies (HK-10I†). Other publications doubtless have much more limited runs—some only a hundred or so. But each copy may be read by many individuals.

In April, a collection of essays from the various dissident organs was published. In Peking, hundreds of people crowded around the group selling copies, and the tall stacks of booklets were sold out within thirty minutes.

*For a xerox reduction copy of one issue of the government's four-page internal newspaper *Reference News*, send \$2 and an addressed long envelope to SPEAHR.

"When we comment on the national leaders, we commit the 'crime' of 'counterrevolution.' What is the difference between this and the feudalist crime of falsely accusing the emperor? When a person has been in trouble, his family, relatives and even comrades have also been in trouble. What is the difference between this and the feudal practice of involving all of an accused person's relatives? . . . We must understand our own strength. Let us embrace the democratic movement the way we embrace our spouses. When a person loses a spouse, one person suffers. When a nation loses democracy, a whole nation suffers disaster."

KIM CHI HA: TWO POEMS

Let's go to search for my soul.
Let's go and open up the prison gates and set my soul free.
Let's embrace in freedom until the tears run down my face.
To unite, to be one.

My flesh will fight until it meets with my soul.
Smashed with beatings into fine pieces blown on the wind.
Until then, my flesh will fight.

• • •

Wish I were a bird,
Water, or else wind.

Imprisoning the thin naked body, the suit
Blue! Wish the blue were the sea.
Could the sea gleam even in my brief dream

Sticking in my heart, bleeding painfully,
And then clotting into the square scarlet mark. . .
But for it—
But for it
I might not decline death;
Perhaps destiny scattered in ashes wouldn't even matter.

In the eyes so anxiously awaiting dawn
On such a dark night
In the clear tears overflowing,
Could the crystal morning-glory dazzle only once,
Could the sun's rays shine.

Vivid blue sky opening
Through the dark clouds in nightly dreams. . .
Could I stand in spilling sunrays a moment.
It may be I would willingly die imprisoned in the blue suit.
Were it real,
Were it present,
Were it not to be hidden
For ever and ever.

Mr. Kim is serving a twenty-year sentence in South Korea because of his criticisms of the Park dictatorship.

"The media must serve to bring the producers of ideas and art to the consumers of ideas and art in the most natural way. This encourages production of diverse art forms and different ideas, and stimulates public expression of varying opinions. The strength of such opinions will push social development forward and stimulate spiritual life."

HONG KONG: WORRISOME SIGNS

Japan excepted, the East Asians whose rights have seen the greatest realization have been the people of the British-administered Hong Kong. A top government official was only slightly exaggerating when he said, "You have more personal freedom in Hong Kong than in any other country in the world." But this year there have been some indications that even in Hong Kong human rights cannot be taken for granted.

Since 1970 Hong Kong has had on the books a Public Order Ordinance. The law covers unlawful assembly, and control of public gatherings, demonstrations, and political activities. It places the burden of proof of "lawful or reasonable authority or purpose or excuse" on the defendant.

No one was convicted under the law until this past February, when eleven organizers of Hong Kong's impecunious boat people of the Yaumati typhoon shelter were found guilty in connection with their agitation for better housing. Although the eleven were not jailed (the ordinance provides for up to five years imprisonment), they were "bound over to keep the peace for 18 months." The affair can only have a chilling effect on political activity in the territory.

But, according to Urban Council member Elsie Elliot, the human rights issue will not go away. She points to the government's double standard in applying the law to spokesmen for the boat people, but not applying it in 1977 when thousands of police engaged in work action which threatened law and order. "The people are no longer a refugee population afraid of deportation if they speak up," said Elliot. "The younger generation were born in Hong Kong. They are now getting higher education, and are beginning to ask why they have no rights."

Most disturbing have been the arrests of numerous members of the Revolutionary Marxist League, a Trotskyist group founded in 1973. Two League members were arrested while protesting outside the court while the Yaumati case was being heard. They were taken into custody after refusing to remove an "illegal" banner.

Then, on April 5, during Hong Kong demonstrations marking the third anniversary of the Tian-an-men incident in Beijing (Peking), four more RML leagues were arrested: Leung Kwok-hung, a garment worker; Chan Chung-wah, a student; Wong Chung-ching, a shopkeeper; and Hou Man-wan, a delivery worker. They received sentences of from two to three months. The demonstration, which had received a Hong Kong government permit, took place outside the offices of China's official news agency, Xinhua, and protested the recent repression by the Beijing government of the democratic movement (See *SPEAHR-head* 2, p. 1).

To the best of our knowledge, RML demonstrations have been entirely peaceful. Thus, it would appear that Hong Kong's reputation as an outpost of freedom is in jeopardy.

Sources: FEER 9M, Militant 6j, Ming Pao 8A, and private informants.

TAIWAN WRITERS ARRESTED

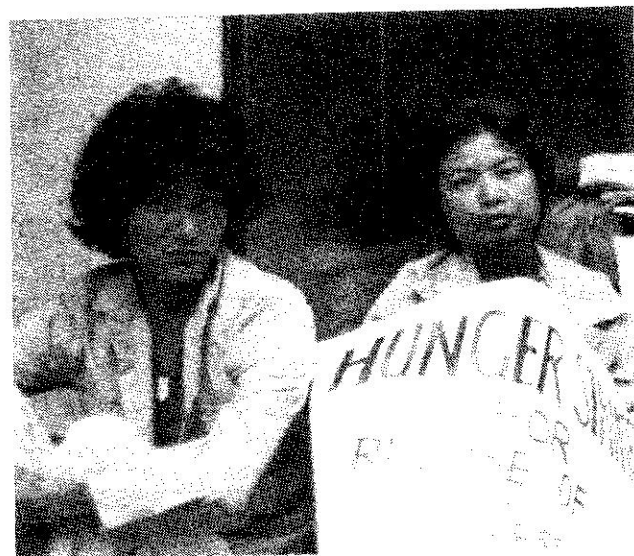
In late summer, two political and literary figures were arrested by the Chinese Nationalist authorities on Taiwan.

On August 30 the Bureau of Investigation detained Hung Chih-liang, publisher of *Demovoice* (see opposite page). Mr. Hung, a Taiwanese from Changhua, had travelled to the People's Republic of China earlier this year. Although the trip does not appear to have been secret, the Bureau "found out that he had failed to report the whole truth, and further investigation disclosed that he has concealed many facts and is suspected of having committed sedition." He is also accused of having been "entrusted with a mission by the Chinese Communists." What that "mission" is supposed to have been, or where Hung is being held, have not been revealed.

Five days after Hung's arrest, writer Chang Hua-min was taken into custody. It was not Chang's first imprisonment, for he had served almost ten years as a political offender between 1966 and 1975. Thereafter he had been released to the custody of well-known philosopher Chen Ku-ying. During the aborted election campaign of 1978 (see *Sh.* 1, p. 4) Chang served as an aide to popular non-Party legislator Kang Ning-hsiang. Then, in February, he wrote a letter to the government urging autonomy for Taiwan (which implied abandoning the myth that the Chinese Nationalists represent all of China). Other than this, Chang has been only mildly critical of the Nationalists.

Chang, a prolific writer, is the author of a two-volume work on Chinese culture. (He is a mainlanders rather than a Taiwanese by birth.) In March 1978 he launched a magazine which reported on events in the provincial assembly, but the government closed it down after the first issue.

Although Chang was arrested for "sedition" and making "communist propaganda," just which of his writings was so offensive has not been specified. (N.Y. *Pei-Mei ribao* 1S, and other sources)



Successful hunger strike. On August 7, Chinese Nationalist authorities arrested Chen Po-wen and Yang Yu-rong, both associated with the outspoken underground newspaper *Chao-liu* (Time). In response, their colleague Chen Wan-chen, who happened to be visiting New York, staged a twelve-day hunger strike outside the local Chinese Nationalist offices, as part of a rapidly expanding international campaign. The two men were released shortly after she ended her fast.

Pictured above is Ms. Chen in the third day of her vigil, attended by exiled Taiwanese writer Chang Fu-chung.

VOICE OF DEMOCRACY



In the spring of 1978, when it was illegal in Taiwan to publish a new magazine, enterprising Hung Chi-liang (pictured above) took over the agricultural journal *Fubao zhisheng*, gave it an additional English name *Demovoice*, and began publishing articles on political, social and economic questions.

The first issue of the reformed magazine began with this statement by publisher Hung. In it he spells out his intentions and the philosophy underlying the effort. He hoped to bridge the chasm between rulers and ruled, he said, with the sole intention of bettering society.

Although the publication had a rocky beginning, and has not always appeared regularly, for a time it seemed that Hung had judged the government's mood correctly, for restrictions on magazine publication gradually eased. But now that Hung has been imprisoned (see story, opposite page), the future of *Fubao zhisheng* is in doubt.

自從本刊發行二十一期以來，承蒙基層民衆熱烈支持及訂閱，并帶來函關照，很是感動。亦基於此使本人對本刊物更加有信心，雖然有人說辦雜誌是划不來的，可是爲了大衆利益及促進國家社會之繁榮進步，站在輿論界的立場辦一份雜誌是頗有意義的一件事。在生意眼光立場似乎沒此必要，可是更在夜裡也不知什麼力量，總是左思右想一直趨使我要這麼去做，惟恐內容不好，影響價值太低就無意義可言，否則應該可以熱誠地全力以赴的。

我們不想成爲國家社會的罪人，成爲愧對民衆的，對不起民主制度的敗類，我們要尊敬一些具有不顧個人利益，只顧國家社會及民衆利益的孫文精神的人。

純樸的民衆必需要提醒他們去如何關心社會國家，才能進而促進地方繁榮。因爲要他們去懂得如何運用效率，如何由自己的一份力量，造成促進社會國家和民衆之間，息息相關避免不了的利益所在，必需要克服過一段很艱難的過程。讓他們去了解，去懂得，不要再讓他們原本經過辛苦工作勞碌，而充滿操勞皺紋的臉，受到一些莫明其妙的剝奪。何忍呢？

經濟建設的起飛，在於全民同心協力才能相得益彰，公共設施和相關民衆個人之一切經建計劃，必需齊頭并進，才能有所功效。

很高興見到有這麼多關心社會國家的社會人士，關心的人愈多，證明進步的可能性愈高。不要過份責備行政人員的執意偏差，因爲這種人不汰換掉，就永遠無法改進，目前只問非行政人員的社會人士關心社會國家是否堅強，是否勇於承認自己是民主制度的主人。既然是主人應該要有主人的地位和立場，不要主僕不分。過份苛責僕人是主人的錯誤，然而僕人以老賣老或以技要脅，也不是正常的好現象。主人有主人的立場，僕人有僕人的本份，如何和睦相處是要彼此間的涵養，因此我們的立場只有一個原則：爲了我們大家所共有的國家社會好，我們要共同一齊努力，爲民主制度而奮鬥，更歡迎有志之士投稿助陣；每一位國民都有權利和義務去關心自己的國家，每一位主人都有權利去關心去責問僕人的是非功過，這是立場。

現在，本刊在深感責任重大的心理負荷之下，全面重新發行，決心身負使命，爲正義而擔當，而奮鬥。我們需要的是更廣泛的更能有集思廣益的共鳴，給予我們精神支持和鼓勵，那麼我們如果遭受到任何際遇，也是值得的。

CROSSREFERENCE

This section is comprised of items of information arranged according to Universal Declaration of Human Rights article number (see page 2), and broken down thereafter by country or territory. If no article of the Declaration is specifically relevant, we designate the category "00." If more than one article applies, our allocation may be arbitrary.

Inclusion of an item does not necessarily imply a judgment that a violation of human rights has actually taken place. For example, we include information on the use of capital punishment even in the cases of common-law criminals (under 05), though the Declaration takes no clear position on whether or not such executions violate human rights.*

As with other material appearing in SPEAHRhead, we present this information in the belief that it will be of interest to members, but we cannot always vouch for the validity of the allegations. Our sources (usually the official media of the country concerned) are indicated at the end of each item.

A key to abbreviations will be found inside the back cover.

00-C. Opinion poll. The Hong Kong magazine *Dongxiang* (I) has published the results of a sampling of opinion among Chinese of various walks of life. The poll was conducted with official approval, and with the encouragement of local administrators. Among the findings: 76% disagreed that "the rights of the citizen as specified in the Constitution of China have been realized in actual practice."

00-C. Covenants. China, like the United States, has failed to ratify the Covenant on Civil and Political Rights, and the Covenant on Economic, Social and Cultural Rights. Nonetheless, these instruments are already international law (having been ratified by the required 35 nations). The China Task Force of the International League for Human Rights has called for China to ratify these instruments.

00-C. Rule of Law. The Chinese daily *Guangming* has carried an article rejecting the line that "Party policy is law." Rather, *GM* says, Party policy is only "a guide to action." It may under certain circumstances "essentially exert a legal effect," but "as national will, law is assured of implementation under state compulsion. Party policy itself has no such character." BJ24F†6M

00-C. Leftists. Liaoning Province youth who were "misled by the Gang of Four" are supposed to be given jobs and reeducated. (By implication, they are not to be otherwise punished.)

LN28F†5M

Ethnic Minorities

02-C. United Front. During the Cultural Revolution, functionaries in the Chinese Communist Party's United Front, Nationalities, and Religious Affairs departments were often attacked as "revisionists" because of the moderate policies they had sometimes pursued with respect to minority nationalities. Now the Party Central Committee has formally absolved them of all charges. BJ18†19M

02-C. Tibet. The moderate liberalization was symbolized by the official celebration, for the first time in a decade, of the Tibetan New Year (26†27F). In March (19†20) it was announced that 376 imprisoned former leaders had been released. In addition, the "rebel" label had been removed from 6000 indi-

viduals. In Qinghai province (largely populated by Tibetans) 49 cadres and herdsmen in the Ardenku area who had been deemed guilty of "treason" in 1970 have been vindicated (12†15F).

However, in an interview granted to *Newsweek* (18J), the Dalai Lama declared that although "there are fewer restrictions for our people now, . . . basically Tibet still remains a vast prison." This was echoed by U.S. Tibet Committee Director India Trinley in a letter to the *New York Times* (8a). Responding to a series of articles about Tibet by Fox Butterfield, Trinley says that Butterfield had overstated the release of political prisoners. "Two of the 34 prisoners whose release and names were announced last November recently went to India, where they said the remaining 32 prisoners were not, in fact, free but only in a less harsh prison. . . . Currently, there are numerous prisons and political prisoners in Tibet."

Beijing radio states that former "serfs" now hold 54% of the top positions in prefectural, city and county government. Non Han (Chinese) hold 84% of the 70-odd county chairs, but comprise only about 40% of the county Party secretaries. All six prefectural commissioners are Tibetan. However, only one-third of the first secretaries of the city Party committees are Tibetan.

26†27F



A Zhuang Village

Woodcut by Yang Qihong. The Zhuang people comprise China's largest ethnic minority population.

*The term "common law" is used on these pages in the sense of the first ("obsolete") meaning given in the *Oxford English Dictionary*: "The general law of a community, as opposed to local or personal customs." The "community" is taken to be the international community, and a "common-law crime" is an act which is deemed a crime in virtually all nations (acts of non-governmental non-consented violence, larceny, etc.). The essential distinction to be made (except when discussing torture, and perhaps capital punishment) is between convicted common-law criminals, and prisoners of conscience.

02-C. Uyghurs. In March (16†19) the Party instructed that all political rehabilitations in Xinjiang be "fully completed" before October 1. A Soviet article (26F†2M) reported that progress had been made toward racial equality in China until 1956, but the Eighth CPC Congress's program to further develop the nationality regions was never implemented. Instead, the merging of nationalities was promoted, with the result that within a few years the Han (Chinese) population of Xinjiang increased from 40% to 60%.

02-C. Mongols. Victims of "frame-ups" in three cases have been exonerated. One group, the "New Inner Mongolia Party," was rehabilitated in April 1978. More recently affected: the "Ulanhu [Ulanfu] anti-Party traitorous clique," and the "February Inner Mongolia counter-current." BJ9†12M

02-C. Zhuangs. In the counties of Guangxi, 44% of the top and secondary cadres were non-Han (non-Chinese), as were 38 of the 80 county revolutionary committee heads. (This would indicate that most Chuangs are ruled by Han Chinese.) BJ20†28N78

02-C. Koreans in China. The intention to resume publication of the Korean-language edition of *Liaoning Daily* was announced. 31o†13N78

02-C. A leader of a non-Han area of Hainan Island was "cruelly persecuted and died" in 1970. Haikow-24†27N78

02-C. Class background. People have complained that they have been discriminated against on account of their class backgrounds, and that others were afraid to have close contact with them. But according to *People's Daily*, such a discriminatory attitude is "abnormal and harmful." In judging people, emphasis should be placed on political outlook. "The children of former landlords and rich peasants are not exploiters." BJ11†12I

Cadre Xu Ko "died a victim of unjust charges" relating to his class background. 23D†68†2179

02-C. Women. *Beijing Review* (9M) published a special issue extolling the asserted sexual equality in China. However, a *Sichuan Daily* editorial published the same month took a strikingly conservative view toward women's liberation. "In order to meet the needs of the four modernizations, women would learn how to educate their children, train and bring up the younger generation with the ideology of communism, handle their marriage and family relations with socialist ideology, practice planned parenthood and establish new fashions." The paper called for "penetrating criticism" of "ultraleft" views on the subject. SC24F†JM

FEER (6J) reporter Melinda Liu travelled to Shunde county in the Pearl River delta region to observe the traditional local phenomenon of a significant number of women choosing not to marry. In one commune of 72,000, she found that 2,000 women at or above the retirement age (55) had never married. Part of the explanation appears to be that employment has been available for women in such occupations as sericulture. But a commune leader asserted that celibacy is a remnant of pre-liberation days, and is not practiced by young adults.

Feminism and Socialism in China, by Elisabeth Croll, has been published by Routledge & Kegan Paul (London). It is based on Croll's doctoral dissertation.

02. Prostitution. Various newspapers (e.g. *Asahi* 9a) have carried a report by *N.Y. Times* reporter Henry Scott-Stokes on sex-package tours to Taiwan and South Korea available to Japanese men.

Torture

05-C. The Chinese media have carried a great many reports of power holders torturing their political opponents. Among major figures reported tortured: former defense minister Peng Dehuai (BJ22†24I), former navy chief of staff Zhang Xuesi (BJ9†11D78), former Beijing garrison commander Fu Chongbi (15†21M), former agricultural official Liao Luyan (BJ15†20), and former vice minister of aquatic products Yuan Yilie (BJ19†24I). Torture of local officials, cadres, and citizens has been reported in the following provincial-level jurisdictions: Anhui (27†30J78), Beijing (30o†2N78, 13†21N78, 21†22N78), Jiangsu (27F†2M, 11†14M), Jilin (JL5†8M), Shandong (12†17I), Shanghai (10†20o78, 2†4D78), Shaanxi (18†22N78, 24†28N78), and Yunnan (†14F).

05-SK. There have been numerous reports of torture by the Korean CIA and other police. Victims include farm expert Wang Han Shik, agricultural economist Le Woo Jae, and Kim Saegun (NYT-26a79). On May 1 a statement on this and related human

rights problems was issued by three nationally-known opposition figures, Yun Po Son, Ham Sok Hon, and Kim Dai Jong. "Since April 19," they said, "murderous torture has been committed against more than 30 students in Seoul Prison" (*People's Korea* 20J).

Capital punishment

05-C. Pre-1977 political executions continue to be reported in the Chinese media. Among the better-known victims: former agriculture minister Liao Luyuan (HK15†16M), long-time woman revolutionary Xu Ming (BJ29A†mI), public security official Xu Zirong (BJ5A†1m), and military leaders Tao Yong (BJ9†12I), Liu Shan-pen (24†29N78), Xu Haidong (BJ23†26I), and Wang Chih-ping (18†21N78). Executions of local figures have been reported in these provincial-level units: Anhui (20F†2M), Beijing (XH22I†16F, 3†7M, 21†22F), Fujian (8†11o78, 16†22N78), Guangdong (3†6N78, PD-12†14F, 8†14F, Haikou 25†27F), Hebei (3†6M, 26F†6M), Heilongjiang (10†14M, 14†16M), Inner Mongolia (9†14F, 14†20M, 26F†7M, 17F†2M), Liaoning (PD-2†16F, †12F), Shandong (BJ13†20o78, 30a†5S), and Shanxi (BJ16†19M).

The Chinese government continues to assert the need to execute counterrevolutionaries (BR-13j- speech by public security vice minister Ling Yun).

05-C. Criminal executions. Death sentences for convicted criminals Li Bendong (PD-20j), Mao Jinyong and Xu Shijin (both ZJ1j†) have been announced, and in the case of Li, at least, carried out (NYT-19a). All three had been convicted of murder.

09-C. Zhejiang arrests. It is reported that during the Cultural Revolution "tens of thousands" of cadres and citizens were unjustly imprisoned in the province. Verdicts for 20 have been reversed "but the cases . . . are too numerous to be handled in a short time." 10†16F

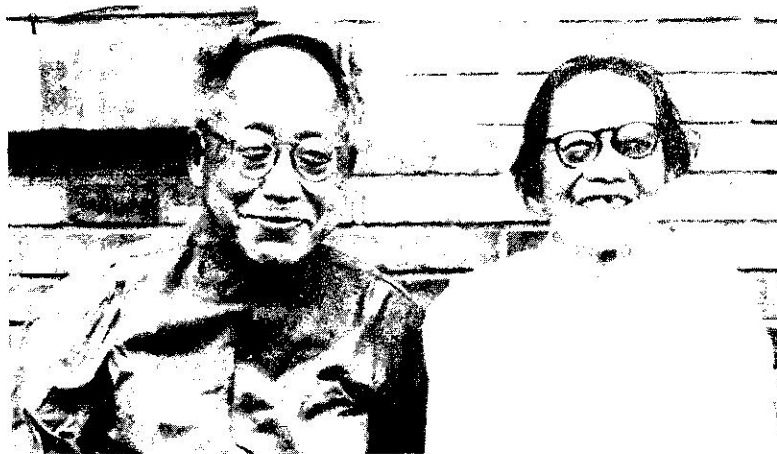
09-C. PLA. A deputy regiment commander of the Beijing Military Region was arrested on April 10, 1976 and subsequently imprisoned. He had been an opponent of the leftists. 24†28N78

09-C. Jilin. Verdicts have been reversed in the cases of 64 provincial education and propaganda officials. Charges such as "secret agent" had often been "fabricated" against the victims. 13†20M

09-C. Arrest procedures. New rules have been promulgated pertaining to procedures to be followed in making arrests.

PD: BJ-9†12M; XH commentary: BJ3†7M

09-C. Trotskyists. SPEAHR has received word that several self-styled Trotskyists have been released from a Shanghai prison. Included in the commutation were leader and theorist Zheng Chaolin (age 78), and his wife Wu Jingru. Zheng was active in promoting the communist movement among Chinese workers in France in the early 1920s. In 1924 he returned to China and became coeditor of the Party newspaper. However, in 1929 he was expelled from the Party as a Trotskyist. In 1931 he was arrested by Kuomintang police and imprisoned for seven years. After the Communists came to power Zheng was again imprisoned, this time for 27 years.



Trotskyists Zheng Chaolin and Wu Jingru, after their release from a Shanghai prison earlier this year. *AI Newsletter*, S.

09-C. Judicial reversal. Jiang Lihua, who had criticized leftists in 1968, was then sentenced to three years imprisonment and three years public surveillance. *People's Daily* reports that Jiang has now been vindicated on the initiative of the Shanghai court which had convicted her. BJ1†9M

09-C. Security agents. The Chinese media have been publicizing the cases of many persecuted public security agents, such as those in Shenyang. BJ1†20o78

09-C. Leftist arrested. A former leader in Anhui, Hong Shanghai, has been arrested and accused of persecuting cadres. Hong had been a mechanic who rose to power in 1967. 21F†1M

09-C. Jiangsu leftists. On February 15 the Jiangsu Provincial Procuratorate announced the arrests of leftist leaders Hua Linsen and Kang Daming. Hua, it was claimed, was a "counterrevolutionary" follower of the China's now disgraced leaders (Jiang, Wang, Yao and Zhang), and had imprisoned more than 8,400 people in Suzhou. Kang, former assistant lecturer in the Chinese Language department of Nanjing Teachers College, was accused of "persecuting to death" the head of the provincial education department. 16†26F

09-SK. Carter visit. According to the *Asian Rights Advocate* (a), during the Carter visit 100 South Koreans were under house arrest and 19 taken into custody because of their political activities.

09-SK. Christian leader. Korean National Council of Churches general secretary Wei Jun Ahn was arrested on June 23 while participating in a demonstration. He was sentenced to 29 days in jail under provisions of a law allowing the preventive detention of "security risks." *Human Rights Perspectives*

09-SK. Zainichi Koreans. The November 22 Rescue Association in Japan has issued an appeal on behalf of various Japanese-resident Koreans who are in South Korean jails, including the Yu brothers, the Soh brothers, Kim Sun Hyo, and people associated with the November 22 (1975) case. The Association's address: c/o Setsutonda Church, 7-25 Tonda-cho, 3-chome, Takatsukishi, Osaka.

AN APPEAL

With the fourth anniversary of the November Twenty-second "spy" case approaching, the Cry of the People Committee is urging friends to appeal for the release of Paek Ok Kwang and Kwan Jon Hong, both under a death sentence. You may write to the Republic of Korea's new Minister of Justice in Seoul: Mr. Kim Chi-yol. Keep your letter non-political and non-abrasive.

09-SK. "Espionage." The Counter-Insurgency Command announced on April 20 that it had exposed a "ten-member North Korean spy ring." Seven were arrested and three others booked on espionage and security violations. *People's Korea* 2m

09-SK. Prison count. Church officials say that there are 338 political prisoners in South Korea, up from 230 last year. NYT-30J

10-C. Procuratoriat. There was a "ten year suspension of procuratory work" c 1966-76 in Tianjin. The masses lost "minimum legal protection." Procuratory cadres were "persecuted." But the situation is now said to have been corrected, and the procuracy is functioning (2†7D78). Similarly, in Hubei, "all the procuratorial cadres had been swept up, driven out the door, and gravely persecuted" (6†8M).

10-C. Confessions. The 1976 confessions of some pro-Zhou demonstrators are now considered invalid, and are to be destroyed (SX23†27N78). However, it is evident that emphasis will still be placed upon extracting confessions from accused persons. The Party's policy is: "Leniency toward those who confess their crimes, and severe punishment toward those who refuse to do so" (GZ14†18o78).

10-C. Trial for the Four? Although Chinese jurists said earlier this year that Jiang, Wang, Yao and Zhang would not be given trials (SH1), two Japanese newspapers (*Mainichi* and *Asahi*) published reports on August 26 that National People's Congress deputy chairman Ji Pengfei had indicated that the Four would

be given open trials. Quoting "reliable Chinese sources," *Mainichi* said that they would be tried by the end of the year under the new criminal code recently adopted by the NPC (*Bei-Mei ribao*, 27a). In the meantime, all four are being held in solitary confinement in Qincheng prison (on which see *Sh* 2, p. 25). Their tiny cells are only furnished with a hard bed and a slop bucket (*FEER*-6j).

10-C. Defendants' rights. *People's Daily* carried a balanced and useful discussion of the question of defendants' presumed innocence. The author, Tian Cai, approved of the assumption of innocence (BJ17F†7M). The paper has also editorialized that Public Security personnel must respect people's constitutional rights, and that such personnel who violate others' rights should be punished (BJ1†2M). *Beijing Review* (6j) has also carried a commentary on the legal system. Peng Zhen is quoted (p. 33) as saying that only "an act which attempts to overthrow the political power of the dictatorship of the proletariat and the socialist system" can be deemed "counterrevolutionary."

10-C. Law students. If China is to have fair trials, there will have to be lawyers to protect defendants' rights. Reuters reports that 1,866 law students have enrolled in universities and other institutes. These will be the first people studying law since around 1966. NYT-9S

Reputations Restored

12-C. "Rightist" labels continue to be removed. Among those for whom this designation has been "corrected" are 250 cadres in the Central Party School, Supreme Court, Ministry of Public Security, Ministry of Foreign Trade, and *People's Daily*. The designation has been "cancelled" for all other alleged rightists (PD-21†). Locally, there have been similar developments:

Beijing. Labels have been removed from at least 2,100 people, mostly educators, who had "wrongly been designated rightists," some as long ago as 1957. (There had been some "misgivings" to the rehabilitations on the part of "some people," and the heads of certain units had acted "too cautiously." Such leaders "must change their thinking and press ahead.") Among those affected: Wang Peiran, former president of the Beijing Municipal Court; He Shenghao, former director of the Beijing Judicial Bureau; Luo Jing, former president of the Labor Cadre School of the Central Labor Department; Zhang Xun, former deputy secretary of the Dongcheng Prefecture Party Committee; and prominent professors Xiang Da, Chen Da, Qian Duansheng (world-renowned political scientist), Xue Yu, Jin Baoshan, Meng Shaoying, and Liu Sizhi. 15F†, 3†5F, 27F†5M

Verdicts have also been reversed for former Beijing Communist Youth League committee members, as well as for grass-roots CYL cadres. Central CYL authorities have ordered that the individuals' reputations be restored. 27†5M

Gaungdong. Twenty-two Hainan cadres once deemed "traitors," and 58 other cadres, have been exonerated. Haikou 22†21M

Guangxi. Verdicts have been reversed for 2626 of 4300 "rightists." Another 357 "against whom disciplinary action had been taken in the struggle to rectify work style and oppose rightists" were similarly affected. The expulsion from the Party of Chen Zaili, Wang Mengshou, Liao Yuan, Luo Ming, Wang Hou and Liao Lianyan have been cancelled. These people had been deemed to comprise "a rightist clique within the Party." 11†14M

Heilongjiang. Ninety percent of the unjust verdicts meted out to rural cadres have been corrected. "However, the work has not developed in a balanced way." In the cases of "cadres who are not divorced from production," only 59.3% (have had their verdicts reversed?). Erroneous verdicts usually resulted from erroneous Party line, so in general individuals should not be held responsible (for the abuses). But "serious cases in which people have obstinately refused to correct their mistakes should be sternly dealt with." 26F†1M

Jiangsi. By mid-March, 2,659 former "rightists" had been exonerated, including all of the "original" (1957?) rightists. 13†16F, 28†30M

Shaanxi (Shensi). All but two of 14 (10% of total staff) of the provincial CYL organs who had been "stigmatized as rightists" have been vindicated (6†15F). In Ankang Prefecture, the 1967-68 campaign against "evil tendencies" has been repudiated; these and other incorrect verdicts "should be reversed" (12†15F).

Shandong. Yuan Shenping and other provincial leaders who had been victims of false charges have been rehabilitated. BJ12†14F

Shanghai. The number of rightists whose verdicts have been reversed has been put at 4,172. BJ3†5F

Sichuan. Incorrect verdicts which have been reversed number 4600. 22F†2M

Tianjin. Some 3,000 "rightists" were exonerated this past winter, including medical experts Zhang Jizheng, Wang Fuen and Lei Ande; urbanist Wang Huatang; sportsman Li Qingan; and dramatists He Chi and Ma Lisan. There was some reluctance on the part of officials to act in such cases, as they feared making trouble for themselves. 10†14F, 21F12M

Yunnan. Quite a few local leaders were "slow to take action" in reversing 1957 "rightist" verdicts. But, editorialized *Yunnan Daily*, "there is no reason to have misgivings or to be troubled by cadres . . . Failing to correct discovered mistakes surely is not our Communist [style of work (?)]." 15F†1M

The Chinese media displays considerable confusion as to whether the original verdicts against these people were wrong (as often implied in the above cases), or whether the judgments were correct but the individuals have "reformed." *People's Daily* tried to explain: "As to those wrongly labeled, the question is one of correcting wrong verdicts, not one of removing rightist designations. . . . Will this negate the struggle against the rightists? Certainly not. . . . They . . . have changed." BJ2†31

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12-C. "Counterrevolutionaries." With the tables turned, this devastating label is being applied to the current power holders' political enemies, e.g., Wang Jingrui and other former Beijing municipality leaders. 4†15F

Freedom of Movement

13-C. Internal exile. One of the least popular of Mao Zedong's innovations was the practice of settling urban youth in the countryside. The practice began in the late 1950s, and was given renewed emphasis a decade later as a means of removing Red Guards from the political scene. A third wave was sent beginning in 1972, primarily as a means of easing urban unemployment. Many of these people illegally returned to the cities. Some had some interesting comments to make to *Asiaweek's* Stephane Fontanange (6A). While the Boston Symphony Orchestra was in Shanghai, about one hundred returned youth demonstrated outside the Revolutionary Committee Theater. A petition intended (but not delivered) to Mayor Peng Chong, stated: "We want to see the Mayor to demand that he implement a document from the Central Committee government to improve the living conditions of the youths who were sent to barren lands 10 years ago and have not come back. We want jobs, places to live and concrete action."

Altogether, 16 million are said to have been sent to rural areas, and 10 million are officially reported still to be living there (NYT-16M). More have been sent by the tens of thousands from such cities as Shenyang (26†31o78), Changchun (JL26†31o78) and Xian (12†17N78).

13-C. Emigration. Perhaps in part to qualify for "most favored nation" status under U.S. Law (see *Sh* 2, p. 4), people are being allowed to leave China temporarily or permanently in increasing numbers. The Hong Kong newspaper *Wen Wei Po* (22†24N78) carried information on how students will be allowed to study abroad, and also outlined simplified procedures for "dependents" of overseas Chinese to leave China. Li Ung and six relatives were allowed to leave China for their native South Korea, which they had been attempting to do for 14 years (SK27F†, 6†7M). Wang Jui-sun, a woman from Hong Kong, was arrested and detained in Changsha as a Kuomintang spy on July 29, 1977, but was released and returned to Hong Kong on June 13, 1978 (HK *Xin Wan Bao*, 13†16J). Twenty-four former Kuomintang people were allowed to leave the country, the fourth such group since 1975 (HK *Wen Wei Po* 29N†1D78).

13-J. Communist visit. Japan's Justice Department has announced that representatives of the Korean Workers' Party (the communist party of North Korea) may visit Japan. The invitation had been made by the Japan Socialist Party, and had been opposed by conservatives and by the Seoul government.

TK311†1F, SK311†1F, 1†2F

13-SK. Visits to South Korea. Ethnic Koreans in Japan who belong to pro-North Korean organizations have been allowed to visit South Korea under "a humanitarian home visit campaign" (SK8†9F). Visits to South Korea were paid by 1,320 people from five communist countries, mostly Eastern European sailors (9F†1M). Princeton University theologian Richard Shaull was denied entry into the country after his arrival at Kimpo Airport on July 28 (NYT-15a).

14. Refugees from Indochina. In terms of accepting refugees, only Hong Kong and the People's Republic of China have performed creditably. Japan and Taiwan have virtually turned their backs on Article 14. As of July 13, only 19 (seven families) had been given permission to reside in Japan. However, both Japan and Taiwan have indicated that they would be generous in providing funds for the boat people. The Taipei government says that it has "made arrangements to help more than 10,800," without indicating the amount of money involved (*Free China Weekly* 26a). Japan has pledged to cover half of the UN High Commissioner for Refugees' budget, which *FEER* (27j) estimates could cost Tokyo US\$50 million this year.

For more on the refugee issue and its implications for human rights, see next SPEAHRhead.

14-Bhutan. The kingdom has decided to expell about 4,000 Tibetan refugees who have declined Bhutan citizenship. FEER-17a

Property

17-C. Much attention has been paid in the Chinese media to the question of citizens' property rights. On January 24, *People's Daily* published a long editorial on peasants' ownership rights (†261). Earlier, the past confiscation of property had been given as one of the reasons that a civil law code is needed (BJ27†29N-78). Publicity has been given to the case of an individual, once deemed a "capitalist upstart," whose land, bicycle and cash had been taken away (BJ17†19I). Property is also to be returned to former business people (BJ25I†). Locally:

Beijing. The municipal government is evicting illegal occupants of houses, and returning the buildings to their "private owners." During the Cultural Revolution, over 7000 people termed "bourgeoisie and elements with bad origins" had been imprisoned or exiled to the countryside, and often their homes



had been used for government offices. By November 1978 only 343 homes had been restored to their prior owners.

3†6N78, 1†9N78

Hong Kong. The Chinese government is permitting Chinese citizens and organizations (including tongs) to try to reclaim property in Hong Kong and elsewhere abroad, much of which was transferred illegally after 1949. NYT-10A

Inner Mongolia. Herdsmen may keep a dozen sheep and an unspecified number of larger animals, including horses, donkeys, cattle and camels. 8F†

Tibet. Estate owners whose lands were confiscated after the Chinese invasion of 1959 are to be reimbursed. Payments totaling US\$4.4 million are to be made to 2,300 people. Originally, installment payments were to have been made to the owners, but these payments ceased in 1967. NYT-14A

Shanghai. Bank deposits are being returned to business people. Until recently, amounts of over ¥10,000 had been frozen. BJ26I†1F

Shanxi. In 1977 a worker named Tsai Chen-hsueh was imprisoned for advocating village markets. Now such markets are official policy, and therefore Tsai has been freed. BJ11†14S78

Xinjiang. Former Uygur herd owners are to have their derogatory labels removed and citizenship rights restored. BJ22†24I

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Religious Freedom

18-C. Tibetan Buddhism. John Fraser's reports from Tibet, which appeared in the *Toronto Globe and Mail* and other news-

papers in July, carried much information on religion and other subjects. He wrote that Tibetans were permitted to go into the temples three mornings a week, and he counted hundreds of people, mostly well under 40, doing so (*Christian Science Monitor* 24j). However, of the more than 2,500 Tibetan monasteries which had functioned as late as 1964, only ten are now in working order (*Globe and Mail* 21j).

18-C. Christianity. It is estimated that there are 500,000 practicing Christians in China, down from 3,800,000 in 1949. Although no missionaries are allowed into China, two European Catholic priests and an American nun are teaching there. In addition, tourists have distributed quite a few Bibles.

Washington Post 11J

18-TW. Church-state relations. Last year the authorities on Taiwan circulated draft "regulations for Shrines, Temples and Churches," according to which religious property would be controlled. The proposal was interpreted as harassment by some sects, in particular the Presbyterian Church. SPEAHR has learned that the proposal has been withdrawn and referred to the Ministry of Interior (secret police, etc.), presumably for reconsideration.

18-SK. Methodist imprisoned. Cho Wha Soon is serving a 5-year sentence for her ministry among Korean factory workers. Cho had charged that women workers were threatened with economic reprisals for association with government-disapproved religious groups.

Asian Rights Advocate J

18-U. Islam. The book *Sufism in Turkmenia* (in Russian) has been published by the Ylym Publishing House. Sufism is a mystical offshoot of Islam, with Shamanist and other folk influences, and is popular among central Asian Moslems. The book stresses the "reactionary role of Sufism" and ways to "overcome" the religion.

Ashkhabad 41†12M

19-C. Democracy walls. Although Beijing's Democracy Wall still exists, following the March-April repression the contents of the posters have been bland. Each night, plainclothes police inspect and blacken or remove any offending statements (*Washington Post* 14m). It now appears that from the start of the poster movement police had been noting the bicycle plate numbers of poster readers (Paris 15†18D78). It was demanded that officials respond by a certain date. Shanghai radio (27A†1m) complained that the posters were "coercive and undemocratic."

19-C. Freedom of expression. The case of a 1976 Nanchang poster, once deemed "reactionary," has been reinvestigated (15†20o78). Imprisoned anti-Four novelist Li Qian has been released, and his writing declared "good" (20†25I). Wang Chianchuan of Xian, sentenced by leftists to 10 years imprisonment as a "counterrevolutionary," has been rehabilitated (22†27S78). Verdicts have been reversed for several hundred who had been "implicated in trumped-up cases of three 'special agent' organizations" in the Fujian Public Health Bureau (13†17N78). Former Party General Affairs director Yang Shang-kun, arrested on treason charges in 1966, has been rehabilitated (HK3†4D78). The Ministry of Public Security has reversed verdicts in the cases of 63 "rightists" who had been banished to Qinghai (BJ12†15I). Guangxi leaders Chen Zaili, Wang Mingzhou and Liao Yuan, once deemed "anti-Party and anti-socialist," have been vindicated (16†23F). In Anhui, 20 have had their rightist verdicts reversed, and the arguments which got them in trouble are now seen as "rational proposals" (†12F). Many imprisoned or "persecuted" participants in 1976 pro-Zhou demonstrations around China have been rehabilitated (e.g., 17N78†, 21†24N78).

But the policy implications of all this with respect to freedom of expression are unclear. The highly restrictive criteria of the second version of Mao Zedong's 1957 Hundred Flowers speech have been reiterated, though *Worker's Daily* urges that the criteria not be "misinterpreted" and used to hinder "free discussion" (BJ22F†6M). Other media urge that peasants have more democratic rights and greater say in setting local agricultural practices (HB18†22D78), and that people not be declared "rightists" merely "on the basis of a few harsh words uttered" (BJ12†15I). But as most of the examples in the preceding paragraph indicate, what is basic is the correctness of the thought, not the right to express any thought. In the case of the Anhui rightists, only "those who did not aim to oppose the Party and socialism" (as interpreted by China's present leaders) have been fully rehabilitated (7†12F).

"The exchange of ideas, and the communicating of emotions, are great things. Only a dictatorship fears and suppresses these sacred rights. Actually, the exercise of freedom of speech and thought unites a people. When these rights are denied, the society is sick."

Press freedom

19-C. Circulation. For some time leftist Hong Kong magazines were permitted in China, though in some cases only upper-level cadres were permitted to read them. (One had to be grade 11 or higher to read *Seventies*, SPEAHR has learned.) But now, apparently due to political rivalries within the Party, at least some of these magazines have been banned, including *Zheng Ming* and *Dong Xiang* (FEER-22J). The July issue of *Seventies* contained an editorial sharply criticizing the Chinese authorities for confiscating earlier copies of the magazine (JR3710).

But people outside China have much freer access to PRC publications than in previous years. Hong Kong's *Ta Kung Pao*, citing its "own sources," listed 20 newspapers and periodicals which can now be received abroad (27D†11I).

19-C. Criticism. "Some comrades" erroneously insist "that anyone who wants to bypass them and carry out criticism in the press must first obtain their approval." *Liberation Army Daily* (9†21N78) cites a 1950 Central Committee decision permitting press personnel to solicit various opinions, whether right or wrong. The paper added that once reporters "are sure that the criticism is basically correct, they should publish it and assume responsibility for it even if they have not sought or obtained consent from those criticized."

19-C. Press rivalry. Various newspapers which were closed down early in the Cultural Revolution because of their defense of Liu Shaoqi and his followers have resumed publication, including *Workers' Daily* (6†7D78) and *Harbin Evening News* (4†9N78).

19-C. Foreign journalists. Perhaps the major challenge of correspondents covering China is to get beyond the model factories and Potemkin villages, and hear from ordinary citizens. An experience of John Fraser, of the Toronto *Globe and Mail*, is instructive. During a bus ride outside of Lhasa, reporters engaged local Tibetans in conversation. "We hadn't calculated on the reaction of our official Chinese hosts, who were appalled." The Tibetans were ordered away "in arrogant and peremptory tones," and were in fact physically removed from the bus into which they had by now been invited. The reporters protested strongly, and finally extracted a promise that the Tibetans, who were walking the same direction as the bus was going, could be picked up and given a ride. "As we approached the family, however, the bus speeded up and when we shouted for it to stop, the senior Chinese official at the back motioned to the driver to proceed. This was the kind of arrogance and summary behavior we were to see often from Chinese officials in Tibet." The reporters were then taken to a model yak farm.

Washington Post, 26j

19-SK. South Korea. *Sojourners* magazine editor James Stentzel was kept under "hotel" arrest by Korean government agents for 45 hours, June 30-July 1, during Jimmy Carter's visit to the country.

Asian Rights Advocate a

19-K. Jailed journalists. Many persons associated with the erstwhile opposition press are in Seoul jails. In August, Justice Minister Kim Chi Yol defended the detention since last year of the 10-member *Dong-A Ilbo* Struggle Committee. Kim charged that the ten had "all asked for abolition of the emergency decrees" (which give Park dictatorial powers), for the "release of people in prison and a guarantee of freedom of the press," and that they had "printed illegal underground literature to get across their point."

NYT-24a

In July there were repeated raids on the offices of the opposition New Democratic Party and confiscation of thousands of copies of their organ, *Minju Choson* (source: *People's Korea*, 18j). The paper's editor, Mun Pu Shik, was jailed (NYT-1a).

19-K. Prisoner list. On June 21, U.S. Senator Edward M. Kennedy published a list of 359 names of people imprisoned in South Korea because of their political activities. Most on the list are university students. Kennedy also released a strong statement condemning human rights violations by the Seoul government.

19-TW. Magazine. With the exception of *Chaoliu* (Time), the Taipei government has taken a relatively liberal attitude toward new non-Party periodicals. SPEAHR has learned that the entire September run of *Meili Dao* (40,000 copies) was promptly sold.

20-SK. Meeting banned. A scheduled June 18 meeting of various opposition groups, including many associated with the New Democratic Party, was prevented from being held by government agents, who clocked streets and held many would-be participants under temporary house arrest. NYT-19J

21-C. Elections. A Chinese newspaper article says that back in 1963 provincial Party committee members were nominated freely and elected by secret ballot (presumably by Party members). Inasmuch as a province can do this, "why cannot Party committees of prefectures, counties, or communes not do likewise? Since a Party committee can be formed in this way, why cannot a government also be formed in this way?" GM-BJ22F+8M

For more on the question of elections in China, see story, p.4.

23-C. Ma Yinchu. Renowned economist Ma Yinchu, after arguing against Party population policies in 1956-1957, subsequently lost his position at Beijing University. His views on the importance of curbing population growth are now "correct," and he was rehabilitated in July. On hearing the news, the 98-year-old scholar is reported to have said, "It seems an old man like me can still do something useful." BR-3a

23-C. Right to strike. Trade Union vice president Kang Yonghe, in response to a question, says that in the event of a strike the union would support "reasonable" demands if practical at the time, but "if a few bad elements incite the masses to wilfully make trouble, the trade unions would explain to the hoodwinked masses that they are wrong, expose the bad elements and help the management and judicial departments take disciplinary and legal measures against these elements. . . ." BR-8J

Similarly, the newspaper *Wen Hui Bao* criticized as "anarchy" the making of "unreasonable demands that deviate from the targets of the Four Modernizations. . . ." 13F+

23-C. Health. John Fraser of the *Toronto Globe and Mail* reports that "despite some good efforts in public health, much of the Tibetan population is still plagued by tuberculosis and serious skin diseases. Many of the children in Lhasa had open sores on their faces, hands, arms and legs. The contrast between Chinese and Tibetan children in this regard is notable."

Washington Post 26j

25-C. Mental institutions. A delegation of Americans led by HEW secretary Joseph Califano visited the Shanghai Psychiatric Hospital in June. The facility was certainly better than average, and the visitors were highly impressed. Correspondent Fox Butterfield reports: "There is no evidence that China uses its mental institutions to discipline political dissidents as the Soviet Union does. Instead, Peking makes use of regular prisons, labor reform camps and so-called political study groups where critics can be confined for prolonged periods." NYT-30J

25-C. Food rationing. Ration cards are necessary in China to buy scarce items such as flour, rice, meat, fish, and cooking oil. In Beijing, the meat ration (probably excluding fowl) is 1 kg per month; in Ningxia, .75 kg.; and in Henan "less than 1 lb." (.45 kg.). There is a flourishing black market in ration coupons. NYT-7j

25-TW. Taiwan meat consumption. The authorities on Taiwan report that per capita meat consumption in 1978 was 24 kg. chicken, and 1 kg. beef. According to the same report, South Korean meat consumption was 3.2 kg. pork, 2.2 kg. chicken, and 2.6 kg. beef. In Japan, 11.6 kg. pork, 9.4 kg. chicken, and 4.4 kg. beef were consumed. Free China Weekly, 29j

26-C. College. On September 10, 400 demonstrated in Beijing, demanding the right to a university education. They said that they had taken entrance examinations in July and had received high scores but had still not been admitted to college. NYT-11S

26-U. Arabic. A high school textbook for the study of the Arabic language has been prepared by Orientalists at Tashkent University. The language is studied in eight schools (throughout the Soviet Union?); this year it is being introduced in another 17. Moscow 3+5I

Artists and Scientists

27-C. Policy. On February 23-24 *People's Daily* carried articles by Zhou Yang on the subject of freedom for artists, etc. China, he said, needs "maximum freedom," but art must still serve society. "Freedom does not mean only serving individuals or a minority" (BJ24F+2M). According to *Wen Hui Bao*, "poisonous weeds" in the arts should not be allowed, although their authors should be treated more humanely than they have been in the past (SH20+22I).

But more liberal voices on the subject have also been heard. According to an article in *People's Daily*, "No 'models' should be imposed on artistic creation. . . . Even if one's work is proven to be quite erroneous or even poisonous, great effort should be made to determine whether it is a question of the writer's world outlook, or whether he deliberately opposes the Party and socialism" (29D+3I). *Art and Democracy* (#11) emphasizes that there should be "contention" in art and literature. "There is no need to be afraid of debate, through which truth will become clearer" (BJ14+20D78). In filmmaking there should be more democracy. "Although art should be subordinate to politics, it should not be equated with politics" (BJ21+24I). *Wen I Pao* (#1) quotes a 1952 statement by Chen Yi: There should be "more encouragement and less condemnation" in literary criticism. "It is irresponsible to trample down buds before they even put out shoots. . . . The most important thing is to handle contradictions correctly, to present them and solve them" (BJ15+16I).

27-C. Torture and executions. The media contain a great many reports of artists and writers who were tortured and/or executed during the Cultural Revolution. The most famous case is probably Lao She, who "died after persecution" in 1966 (BJ18+22N78). Deng Tuo, whose essays were attacked on a massive scale beginning in 1965, "died a victim of unjust charges" in 1966 (HK 12+13F). His works, along with those of his colleague Wu Han, are now being republished (BJ1+5F). Three other nationally-known literary figures who died "victims of cruel persecution" were philosopher Xu Maoyong (d. 1977), writers union luminary Chen Xianghe (d. 1969), and Dong Qiuxi of World Literature (d. 1969) (BJ13A+2M). Locally:

Anhui. The case of Hsiao Yu-chu is described by Hofei radio as "typical." Hsiao, an operatic actor, suffered an infarct and monoplegia in 1977 as a result of being tortured. 20+22M

Beijing. Eight noted artists were "persecuted to death," many others framed. Altogether, 29 were cleared by December 1978. 21+27D

Jilin. During the Cultural Revolution "thousands upon thousands" of literary and art workers and cadres were persecuted, including writer Song Zhenting. As of January, many verdicts had yet to be reversed. 20+25I

Shandong. Three opera figures "were persecuted both mentally and physically and died" early in the Cultural Revolution. 5+10I

Tianjin. Over 220 literary and art workers and cadres were persecuted around 1968; some were tortured (24D+2I). Actress Han Chun-ching was "persecuted to death" (30+3N78).

27-C. Rehabilitations. Among other literary and art figures whose reputations have been restored are: the late playwright Tian Han (BR-8a), the late opera star Kao Chiao-tien (BJ15+17o-78), Liu Xiaowu of Xinjiang (28A+3m), novelist Ding Ling (BR-6j, 10+14M), members of the famous Mei operatic family (FEER-16M), and various Inner Mongolian "persecuted writers" (4+8M).

27-C. "Underground actors." Those who are unable to find employment in legitimate acting are "disheartened," including some well-known actors. In fact, some 100,000 have had to leave the profession. This has been termed "a waste of talent" which should be corrected. BJ18+22I

27-C. Foreign culture. Fang Chih, the director of the Foreign Language Research Institute in Beijing, has urged greater understanding of foreign cultures, in order to "enrich the mind and stimulate progress" (15+17o78). According to an article in *People's Daily*, it is good to learn from foreign films, even if they depart from the Party line in certain respects. "Many good things are often not immune from bad side-effects. If we refuse to accept the good things for fear of side-effects, this will result in a big loss" (BJ8+21N78). The French novel *La Dame aux Camelias* was confiscated by a factory security officer as "unwholesome and obscene." *Guangming Daily* says the confiscation "shows how deep-seated is the poison of cultural despotism that Lin Biao and the 'Gang of Four' imposed on the people" (10+18I).

(Continued on page 25)

Schools in Tibet Impart Manual Labor and Indoctrination

Dharmasala, India: A teacher of Chinese languages at Northern Primary School at Lhasa, Tibet's capital, said in an interview here that although the Chinese statistics about growth of schools in Tibet is impressive, these schools do not impart a proper education to the Tibetan children. Instead, according to Kun-sung Choedon, who arrived here in late May, more than half of a student's time is devoted to manual labor and indoctrination....

"Now admission is opened to only a few Tibetan staff's children and the Chinese; as a result the majority of students are Chinese. Chinese was also made the medium of instruction. Tibetans view this whole thing as a plot by the Chinese to hold the reins of the government," Choedon said.

Choedon graduated from the teacher's training school in August 1977 and was sent to Northern Lhasa Primary School as a Chinese language teacher for the third grade. In that school there were classes up to the fifth grade and each class had about 50 to 60 pupils. Subjects taught at this school are Chinese and Tibetan languages, mathematics, physical education and propaganda songs.

In February 1979, Choedon continued, some pupils of the northern school prostrated themselves for the length of the Bakor (circular track around Jokhang, the central cathedral in Lhasa) as an expression of their religious faith. When the Chinese learned of this incident, they were furious and called a staff meeting in which they took the teachers to task. The teachers were told to discourage "blind faith" among "innocent" pupils. The teachers were made responsible for any such occurrence in the future. "Since then," said Choedon, "we dared not go to monasteries and the Bakor."

"Tibetan language is given low priority in higher classes. No one is allowed to wear Tibetan dress in the schools. In 1976, a few days before the Nepalese King's visit to the Tibet Teacher's Training School in Lhasa, we were all told to wear a Tibetan dress. To present a more realistic Tibetan look, the girls' hair which was

cut short in Chinese style made into pigtails at the end of which were attached colored paper ribbons such as Tibetans are known to wear. But during the king's visit, it drizzled and the paper ribbons got spoilt, causing some embarrassment," Choedon recounted.

In the northern primary school, Choedon said, the state paid for school maintenance and staff salary, but the students have to pay for their tuition and books.

Job opportunities differ between Chinese and Tibetan graduates. The Chinese are employed in towns while Tibetans are sent to rural areas. "The Chinese authorities always insist that we talk in Chinese. Students had to take a greater interest in Chinese language because all the applications and criticisms had to be written in Chinese. In many areas, students are deliberately taught poor Tibetan by Chinese teachers and made to speak always in Chinese," Choedon said.

The Chinese students get better food than the Tibetan counterparts. She said, "They had a separate mess and got fresh and better food and they were also given more freedom and less punishment."

In the summer of 1966, Choedon continued, "My uncle Gyalpo and another person were subjected to *thamzing* (public struggle sessions) for sticking a poster of a Tibetan song: **'From under the clouds, one day the sun will shine.'** There was tension and fear in the air. My uncle was bayonated and his intestines spilled out. Yet, people were still forced to beat him, and, consequently, he died."

"Once when I was in Shigatse, the second largest city in Tibet, I was made to attend such a trial where six Tibetan men and nuns were sentenced to death. Among them was a well-built, tall Tibetan who stood erect and watched the crowd without any sign of fear. The Chinese slapped and pulled his hair to make him bow. He did not die after the first shot and staggered to his feet to stand up. The Chinese leader then fired seven rounds at him in anger. After that I never attended any trial meetings," Choedon said....

A Former Prisoner Reports Resurgence of Nationalism in Tibet.

New Delhi, July — A former political prisoner, Tseten Tashi, 45, said in an interview last month in the Indian capital, New Delhi, that Tibetan resistance to the Chinese rule is far from over. Tashi, who spent 13 years at Sangyib political prison in Lhasa, told this reporter that he has seen documentary evidence of the existence of several underground resistance organizations throughout Tibet. Besides numerous incidents of revolt and sabotage, Tashi cited three major uprisings in Tibet after 1959: the 1964 uprising at Tashi Lhunpo, led by the Panchen Lama, the second highest spiritual figure in Tibet's Buddhist hierarchy; the 1969 Nyimo Uprising, led by Sonam Choedon, a nun; and the 1970 Youth Revolt in Lhasa. In the latter uprising, eight leaders of the Youth Organization were publicly executed in Lhasa and many of its members were sentenced to life imprisonment at Sangyib, Tashi added.

After his release on November 11, 1978 and during the few months that he spent outside prison in Tibet, he was able to observe that Tibetan people's reaction to the liberalization policy in Lhasa. According to Tashi, there is a great resurgence of Tibetan nationalism: wall posters proclaiming Tibetan independence and faith in the Dalai Lama were put up during the Tibetan New Year (February 27, 1979); and people exhibit their religious faith by visiting temples that have recently opened to the public.

Shaking his head in amazement, the former prisoner said, "I also noticed the short-sighted Chinese policy of deception. The Chinese are painstakingly misinforming the Tibetans in Tibet about the poor conditions of the exiles, and, at the same time, making elaborate preparations to portray a false image of prosperity and happiness in Tibet. During the Tibetan New Year, the Chinese issued strict orders to the Tibetans to decorate their houses in the traditional Tibetan style, stating that some Tibetans from exile would be visiting Tibet."

The Chinese have alienated the

The articles on this and the following pages are by Tinley Nyandak Akar, Information Officer to the Dalai Lama. They first appeared in News Tibet (m-a) published by the Office of Tibet, 801 Second Avenue, New York 10017. Reprinted with permission.

Tibetan masses to such an extent that they themselves are increasingly finding it imperative to have the Dalai Lama back and to gain his cooperation, said Tashi. The past 20 years of colonial rule and their propaganda are becoming counter-productive and self-defeating, according to Tashi. He added that after 20 years of Chinese authoritarian rule, the Tibetans are suspicious and distrustful of any Chinese policy.

Arrest

Tashi was born in 1934 at Karze, Eastern Tibet. He joined the Tibetan National Freedom Movement in 1958. After the abortive Tibetan National Uprising in Lhasa in 1959, Tashi fled to India. He went back to Tibet in 1964 to spur the Tibetan resistance movement and subsequently was arrested by Chinese troops at Sakya Dzong.

Tashi said he was charged with "spy-ing" for the "reactionary Dalai clique" and for causing "sabotage" against the motherland. He was taken to the Lhasa political prison, Sangyib. "This is the only prison of its kind in all Tibet," said the lean but articulate former prisoner, "and it has maximum security." For the first six years (1966-1972), he was kept in solitary confinement in a cell only large enough to stretch his legs. "During this time," Tashi said, "my hands were handcuffed and my feet shackled."

"When I was in this cell, I did not know the difference between day and night because it was dark all the time. A small window was sealed with iron bars from inside, and its glass was painted black on the outside. I had a small mattress, a bucket for my excrement, a comforter, one set of pajamas, and the clothes I had on when I was arrested. These clothes were never washed for six years and became infested with lice; I never had a bath. Every night about 1 a.m. I was led by two armed prison guards not far from the cell where I dumped my latrine bucket."

Reminiscing about his hardship, Tashi said that, with the exception of official holidays and Sundays, for one year and three months he was interrogated every day. ...

During interrogations, Tashi said, he was threatened by his inquisitors who displayed pistols on the table and warned. "The choice is yours, is it life or death?" He said he did not budge. "During those days," said the former prisoner, "it really did not matter to me very much if I were shot." ...

The Panchen Lama: Tibetan Dissident in China

The two recent articles of *The New York Times* on the account of life in a Chinese political prison for important prisoners in a scenic Peking suburb, and its subsequent editorial: "The Chinese Gulag" are enlightening. They were so because of the detailed accounts of prison life given by Mr. Wei Jingsheng....

Among the important prisoners, Mr. Wei mentions the Panchen Lama, the second highest spiritual figure in Tibet's Buddhist hierarchy, as one of the inmates in the penitentiary for important prisoners known as Qin Cheng. He adds, "There are those who, unable to endure such conditions, try to commit suicide. Others go on hunger strikes. The Panchen Lama, for instance, once refused nourishment, declaring that he did not want to go on living: 'You can take my body to the Central Committee'."

But, why was the Panchen Lama imprisoned? What does he stand for? Who is he?

After the Dalai Lama's escape from Tibet in 1959, the Chinese authorities put a strong military cordon around the Panchen Lama on the pretext of protecting him from "Tibetan reactionaries." In fact, the Chinese feared that the Panchen Lama would flee Tibet as the Dalai Lama did. The Panchen Lama was also assured by the Chinese authorities that there would be no changes at Tashi Lhunpo Monastery the seat of the Panchen Lama.

In 1961, the Panchen Lama and his tutor, Ngulchu Rinpoche, were invited to Peking by the Chinese. Thousands of Tibetans gathered at various places along the Panchen Lama's route to present him with petitions enumerating the sufferings and hardships they were forced to endure under the Chinese rule: the shortage of food and forced labor under inhuman conditions. While in Peking, the Panchen Lama reported to Chairman Mao Tse-tung the plight of his countrymen and proposed the following measures:

- 1) The persecution of Tibetans must end.
- 2) The food ration must be increased. The monthly ration of 22 pounds of

grain per person is far below an adequate norm and has caused many deaths from starvation.

3) Religious freedom must be restored. The destruction of sacred manuscripts and religious articles, etc., must be stopped.

4) The aged and infirm must not be neglected.

According to reports, Mao accepted the proposals of the Panchen Lama and promised to instruct the Chinese officials in Tibet. But when the Panchen Lama returned to Tibet, the Chinese officials in Lhasa, Tibet's capital, rejected the proposals.

Failing to work with the Chinese officials in Tibet, the Panchen Lama, in 1962, sent to Chairman Mao a 70,000-word memorandum complaining of the Chinese breach of promises, and abuses against the Tibetan people and their religious institutions. This memorandum contains among other things: that Tibetan cadres be given full power; the destruction of Tibetan culture and monasteries must be stopped; all ancient objects must be collected and preserved in Lhasa; freedom of religion must be practised; the living conditions of Tibetans must be improved....

In October 1964, the Chinese gave him a last chance to rectify his errors. Before a mass gathering in Lhasa, the Chinese ordered the Panchen Lama to denounce the Dalai Lama as a traitor and reactionary. But the result was a dramatic act of defiance by the Panchen Lama as he gave a short religious discourse and made the following statement:

"Today, while we are gathered here, I must pronounce my firm belief that Tibet will soon regain her independence, and that His Holiness the Dalai Lama will return to the Golden Throne. Long live His Holiness the Dalai Lama!"

The Chinese were stunned; the Tibetans were in tears, according to eye-witnesses. The Tibetans assembled at the meeting prevented the Chinese from arresting the Panchen Lama right on the spot, but shortly afterwards, he and his tutor, Ngulchu Rinpoche, were arrested and imprisoned....

STATE DEPARTMENT ON HUMAN RIGHTS IN JAPAN, SOUTH KOREA, AND TAIWAN

The U.S. Foreign Assistance Act requires the State Department to report to Congress annually on the human rights practices of countries receiving U.S. aid or military assistance. The 1979 report includes three East Asian lands, and are reprinted below in their entirety. (The other countries of the region are not reported on because they do not receive U.S. support.)

Japan

Japan is a parliamentary democracy in which democratic institutions are thriving. Basic freedoms are guaranteed by the Japanese Constitution and secured by a just and efficient legal system.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

The Department of State is not aware of any instances of torture in Japan.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Freedom from cruel, inhuman, or degrading treatment or punishment is guaranteed by law and respected in practice.

c. Arbitrary Arrest or Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice. Amnesty International reports for 1977 do not identify any political prisoners under detention in Japan.

d. Denial of Fair Public Trial

The right to a fair public trial is guaranteed by law and respected in practice. The accused are guaranteed a public trial with defense counsel and the right to cross examination. In addition, they are protected from self-incrimination and from the application of *ex post facto* laws. Japan's court system, including the appellate division, functions effectively.

e. Invasion of the Home

Japanese authorities are prohibited from entering homes without first obtaining a legal warrant. This prohibition is observed in practice and the standards for issuing such warrants are adequate to guard against arbitrary searches.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

Basic human needs in Japan are provided for primarily by the social infrastructure that has developed along with Japan's economy. Free education through high school is available to all, and Japan has the highest rate of literacy of any major country. Food, shelter and health care are available widely in good quality, with the Government increasingly acting as the provider of last resort to the needy. Welfare standards are maintained more by the efforts of the private sector than by the Government, for the Japanese employer traditionally assumes a "lifetime" pater-

nal responsibility for the welfare of his employees and their families. Because disparities in income distribution are smaller in Japan than in any other industrialized country, Japanese at all income levels share in the nation's prosperity.

Of note in the international sphere has been the Japanese Government's provision of food, shelter and health care to the over 2,000 refugees admitted from Indochina. It has recently decided to give permanent residence status to a limited number of them and has become a major donor to refugee programs of the United Nations High Commission for Refugees.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

These freedoms are guaranteed by Japan's Constitution, protected by law and respected in practice.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Citizens have and freely exercise the right to change their place of residence, to travel freely both within Japan and abroad and to emigrate.

c. Freedom to Participate in the Political Process

All adult citizens share the right to vote, and this right is enjoyed in practice. Vote is by secret ballot. Political interest groups can and do organize and engage in a full range of political activity. Six opposition parties, ranging from a communist party to a moderate conservative party, are very active. Labor unions are well organized and play an essential role in bringing workers into the political process. Elections are completely open and accurately reflect the public will. The various civil and political liberties are guaranteed to all citizens without regard to sex or social condition.

4. Government Attitude and Record Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Department of State knows of no requests by any organizations to investigate human rights conditions in Japan.

South Korea

The division of the Korean Peninsula and the continuing threat of North Korean aggression remain the pervasive factors in South Korea's national life. The present Government had its origins in 1961 when then General Park Chung Hee led a bloodless coup against the government which had followed the overthrow of President Syngman Rhee by the student revolution of 1960. General Park then retired from the military and as a civilian was elected President by direct elections in 1963, 1967, and 1971.

In 1972 a new *Yushin* (meaning "reform") Constitution was adopted through national referendum, a referendum which was criticized by some because it took place under martial law restrictions. The new Constitution expanded presidential powers greatly and provided for selection of the President by indirect election. The 1972 Constitution withdrew certain rights previously respected, including the right to *habeas corpus*, and gave

the President the power to take "necessary emergency measures" in time of "natural calamity or a grave financial or economic crisis, and in case the national security or the public safety and order is seriously threatened or anticipated to be threatened."

The Government has used the power granted under its authority to take emergency measures to restrict freedom of expression and political activity. Emergency Measure No. 9 (EM-9) prohibits the dissemination of false rumors, criticism of the Constitution or advocacy of its reform, media reporting of such activities, and unauthorized student political activity. The Korean Government contends that restrictions on civil and political liberty are needed to present a solid front in the face of a continuing and dangerous threat of North Korean aggression. Most Koreans share the Government's assessment of the danger from the North, but a significant number question whether this threat justifies the serious restriction which has been imposed. Some Christian church groups and students have taken active roles in opposing present controls.

The Department continues to view the restrictions on the peaceful expression of dissent and other controls in Korean, including those under the Emergency Measures, as excessive in relation to the threat under which the nation lives, and as contrary to international human rights standards.

In a positive year-end development, on December 27, 1978, the Government released former Presidential candidate and opposition leader Kim Tae-chung and about thirty other violators of EM-9. Mr. Kim resumed many of his former activities, including sharp criticism of the Government.

1. Respect for the Integrity of the Person, Including Freedom From:

a. Torture

The Government of the Republic of Korea states that it does not employ torture or abuse prisoners. There is a difference of opinion among dissidents on the question whether the Government has recently resorted to torture.

b. Cruel, Inhuman or Degrading Treatment or Punishment

There were some unconfirmed but credible allegations of police brutality during arrests and of isolated instances of prisoner abuse during 1978. For example, there were reports that some participants arrested in September after an attempted street demonstration were mistreated. All allegations were brought to the attention of the Government of the Republic of Korea, which denied having abused or tortured any prisoners.

Within prison, the physical conditions for political prisoners are no worse than those for common criminals, and may sometimes be better. Even so, there have been allegations of political prisoners being held in tiny cells for long periods. Other allegations of abusive treatment reaching the Department in 1978 involved harsh suppression of a prison riot and beatings for infractions of prison rules. In response to these allegations, the Government stated that prison authorities had used only force sufficient to restore order in the prison, and that prisoners were punished in connection with the incident only in accordance with existing law and regulations. Lawyers find that EM-9 prisoners are less accessible than non-political offenders and that their conversations with such clients are more frequently monitored.

c. Arbitrary Arrest or Imprisonment

Under EM-9, the Korean Government has the authority for arrest, detention, search, or seizure without a warrant. In addition, EM-9 authorizes indefinite detention without charge, although such detentions are seldom for long periods. Temporary

house arrest and brief detention for questioning are frequently used to prevent political activists from carrying out demonstrations or in the hope of halting other anti-Government political activities.

Although large numbers of individuals have been apprehended in the past following demonstrations or other incidents, they have not been imprisoned for long terms without a trial on charges of violating specific laws or Emergency Measures. Upon the inauguration of President Park for a new term on December 27, 1978, the Government released opposition leader Kim Tae-chung and about thirty other political prisoners along with over 2,200 common criminals. Mr. Kim Chi-ha, a dissident poet, also had his life sentence for violation of the Anti-Communist Law reduced to twenty years. As of the end of December, the Department of State estimated that between 180 and 220 persons were probably still serving terms for politically motivated charges, and church groups estimated that there were about 280 such persons.

d. Denial of Fair Public Trial

Trials under both Emergency Measures and regular law are now public. As far as is known, all persons detained in 1978 on charges under the Emergency Measures were tried in due course. In 1978, the Government made increased use of misdemeanor charges for quick disposition with light sentences (up to one month) of cases involving demonstrators, rather than using more serious Emergency Measure charges (comparable to our felony laws), which could result in long prison terms.

e. Invasion of the Home

Police and security officials may enter and search the homes of suspects without warrant under the provisions of EM-9. There are sporadic reports of the use of this authority in connection with cases of political dissenters.

2. Government Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

South Korea is emerging as an economic power following more than a decade of impressive growth. The cornerstone of the Korean Government's popular support has been its economic performance, both in stimulating growth and in managing that growth in a way that most elements of the society were able to share in it. Per capita Gross National Product in South Korea has grown from less than \$200 in 1968 to more than \$1,000 in 1978, and the Government's policies to promote economic growth have produced high levels of employment and steadily higher real income. In 1977, the economy created 373,000 new jobs, unemployment was four percent, and real wages increased 19.8 percent except in agriculture. In 1978, labor unions estimated the increase in wages in contracts negotiated through August to be about thirty percent in nominal terms, without adjusting for substantial inflation. Overall, labor income as a percentage of national income has steadily increased from 30.9 percent in 1965 to 41.7 percent in 1976.

The World Bank has praised the success of the Koreans in maintaining a relatively egalitarian pattern of income distribution, including reducing the disparity between urban and rural family income, in providing widespread and useful educational opportunities, and in making available productive employment for a growing labor force (while at the same time reducing the rate of population growth). Much remains to be done, and public health care, vocational education, labor relations, and industrial safety are priority areas for the current Five-Year Economic Development Plan (1977-1981). The income tax system is progressive.

Despite rapid progress in diversifying Korea's industrial base, the production of labor-intensive goods, particularly textiles, remains important. The workers in these industries, usually women, often labor in cramped and unhealthy quarters for long hours at low wages, violating Korea's own minimum labor standards. Government enforcement of these standards is inhibited by fears of driving smaller, marginally viable companies out of business and throwing the employees out of work.

In the field of education, the Government announced in August 1978 a major expansion of higher education which is expected to increase first-year enrollment in Korea's colleges and universities by 38 percent. In the years ahead, this will increase substantially total enrollment in Korean higher education, access to which is allocated by a merit system.

In the field of social welfare, the Korean Government inaugurated a Medical Protection System in January 1977 to provide free health care for certain destitute persons and partial medical assistance to needy persons. There is also a Medical Insurance System for workers in firms employing 500 employees or more. The Government investigates and prosecutes corruption on a regular basis.

Korea is one of the most racially and linguistically homogeneous countries in the world. The largest minority is the Chinese, who number no more than 30,000. The mixed-blood offspring of United States servicemen (Amerasians), who are estimated to number several thousand, suffer considerable social, educational, and economic discrimination and are not allowed to serve in the military.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Political liberties and freedom of expression are significantly circumscribed by EM-9, as described above. The measure prescribes prison terms of one to fifteen years for prohibited acts and gives the Government authority to close down universities, broadcasting stations, and newspapers and dismiss any member of their staff or administration. Although calling for trial by civil rather than military court, it permits arrest, detention, search, and seizure without warrant. The Department of State estimates that, since its promulgation, about 600 to 700 persons have been charged with violations of EM-9, although many more have been arrested and held for short periods of interrogation before being released.

The Anti-Communist Law of 1961 is a further restraint on civil liberties, particularly in the way it is applied. This law provides for imprisonment for not more than seven years for any person involved in the activities of "anti-state" organizations, including Communist organizations. In 1978, the trial and conviction under the Anti-Communist Law of a professor who had edited an anthology of articles on China by foreign writers, including prominent Americans, drew considerable domestic and foreign attention and criticism. In addition, the Korean National Assembly passed laws in 1975 making it a criminal offense to criticize the Government to foreigners and providing for political surveillance, limitations on residence, and preventive detention for former "anti-state" prisoners. The preventive detention measure was applied for the first time in May of 1978, when a prisoner convicted of espionage was not released upon the expiration of his prison term.

In 1978 the Government sought to avoid formal arrest, trial, and long-term detention of political dissidents, who for their part stepped up their political challenge. Instead, the Government used preventive tactics. In anticipation of challenges—especially from college students—security forces stepped up surveillance to frustrate efforts to mount demonstrations off cam-

pus or to undertake other political activities. Similarly, dissident activity which as recently as 1977 would have provoked court trials and stiff sentences was dealt with through questioning at police stations and temporary detention or house arrest lasting from a few hours to a week or two. Although these tactics spared many dissidents (despite their increased political activity) from the full weight of EM-9, the new policy gave them only limited opportunity to publicize their viewpoints. However, arrests, trials, and expulsions from universities, particularly of students who had organized and led demonstrations, continued to take place. Some faculty members also lost their positions, and a few were arrested when they protested these government actions against students.

Continuing a practice begun in 1977, political prisoners were released on significant occasions in 1978: eight on Buddha's Birthday (May 14), 22 on Independence Day (August 15), and about thirty on the occasion of President Park's inauguration (December 27). The latter release included former Presidential candidate Kim Tae-chung, as well as a large number of common criminals.

The press, although still under significant restraints, continued the expansion begun in 1977 of its coverage and discussion of controversial issues, including the influence-buying scandal in Washington, fuller reporting of National Assembly debates, and aggressive coverage of three domestic Korean scandals in the late summer of 1978. Although direct criticism of the *Yushin* Constitution or President Park is still forbidden, many of the press-control aspects of EM-9 were relaxed in practice. Nevertheless, the press remains wary of what it prints, and periodicals were occasionally seized, as in the confiscation in September of a prominent intellectual monthly and suspension of its publication for three months. One foreign reporter was barred from entering the country in early 1978 as a result of writing articles which the Government considered consistently biased.

Religious activities are given wide latitude and no restrictions exist on proselytizing by any sect. Many foreign missionaries are active in Korea and most pursue their religious work freely. Missionaries of the Jehovah's Witnesses, however, found that, while they could work freely in Korea, new missionaries could not obtain entry permits, nor could resident missionaries be assured of re-entry permits if they left Korea. In 1978, one foreign missionary associated with Christian labor activists did not receive a renewal of his residence visa and therefore had to leave the country. Some clergymen and Christian laymen are critics of Government political, economic, and social policies, and consequently there is tension between the state and certain segments of the Christian community.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

There is freedom of movement within the country. There are some restrictions on foreign travel for political, security, and balance of payments reasons. By the early 1980s the Korean Government expects that its foreign exchange position will permit unrestricted tourism abroad. The Government has a liberal emigration policy; more than 27,000 Koreans emigrate to the United States each year.

c. Freedom to Participate in the Political Process

There is universal suffrage for adults over twenty. Aside from the large body of Presidential electors, the only directly elected officials in Korea are 154 National Assembly representatives (two-thirds of the whole). Most effective power is centralized in the Office of the President. He appoints the Prime Minister, the Cabinet, one-third (77 members) of the National Assembly, and all local government officials, and may suspend individual rights by emergency decree.

In 1978, South Korea held its first nation-wide elections since 1973. Korea's electoral college, the National Council for Unification (NCU), is chosen by direct popular vote, although candidates may not campaign on political party tickets and campaigning is subject to strict legal constraints. Voting for the NCU took place without incident in May, with the participation of over 78 percent of the eligible voters and with more than 5,400 candidates vying for the 2,583 seats in 1,665 separate constituencies. In July, the NCU in turn re-elected the President all but unanimously to another six-year term.

In subsequent National Assembly elections in December, 473 candidates competed for 154 seats. Since one-third of its membership is appointed, control of the Assembly was never at issue. However, the chief opposition party scored a psychological coup by out-polling the government party by one percentage point in the popular vote. By most accounts the election was free from government manipulation. The government party nevertheless won 68 seats, retaining its plurality among elected members, but the chief opposition party won 61 seats, significantly reducing the margin between the two major parties. Independents (candidates not nominated by a political party) took most of the remaining seats. The 77 percent rate of voter participation compared favorably with the 73 percent turnout in 1973.

Since World War II, Assemblymen have generally enjoyed very high prestige in Korea. Following the introduction of the present *Yushin* Constitution in 1972, however, the public has correctly perceived the reduced influence and independence of the National Assembly, and the prestige of Assemblymen has declined correspondingly. The 1977 Assembly session witnessed a marked revival of active debate and criticism of the Government's policies, largely in anticipation of the elections in December 1978 for the next six-year term, but the 1978 session was remarkably tranquil, perhaps because the legislators were preoccupied with party nominations. Grass roots exchanges between the people and the bureaucracy take place through a nation-wide system of village councils and self-help projects. In addition, the Government maintains extensive domestic intelligence nets, which at once inhibit freedom of expression and supply reports of discontent and criticism.

Trade union organization is permitted but unions may not strike. Collective bargaining contracts, covering 960,000 workers, result in better wages and working conditions for unionized workers than for their unorganized fellows. Low wages and long working hours remain continuing problems, particularly in smaller, marginal companies. Labor conditions in such companies have drawn sharp attacks from foreign and Korean social critics, although even these workers are experiencing steady gains in real income. As part of their social ministry, a few Methodist ministers have attempted, through their Urban Industrial Mission, to organize textile workers. Their efforts have precipitated complex conflicts among management, government, and rival unions, involving counter demonstrations, occasional confrontations, firings, and some arrests.

In a small but nevertheless significant gesture toward improving the legal status of women, the National Assembly modified the Inheritance Law in December 1977 to provide equal shares for the wife and first son in inheritance of the husband's estate. Despite the deeply-ingrained Confucian tradition of male superiority, there is an extensive system of women's organizations throughout Korea, and these organizations can be expected to continue to press for further improvements in the legal status of women. Moreover, women in Korea have long had a stronger voice in society than their legal status would suggest.

4. Government Attitudes and Record Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Korean Government has generally allowed outside human rights groups to visit and interview opposition figures, with few formal restrictions, although in 1975 an Amnesty International Mission encountered some official obstacles. Newsmen also have freedom of movement within South Korea. A July 1978 study by the Congressional Research Service of the Library of Congress noted that several United States Congressmen visited Korea in 1977 and discussed the issue of human rights with the government, the most conspicuous visit being that by Members of the House International Relations Committee in April 1977. The Government has not allowed interviews with prisoners.

Taiwan

Taiwan is evolving toward a more open society. A quarter century of peace, political stability, economic growth and extensive contact with the West has brought about significant advances in the observance of internationally recognized human rights. Nonetheless, Taiwan remains essentially a one-party state operating under martial law provisions which the authorities state are necessary owing to the continuing confrontation with the People's Republic of China (PRC). Human rights violations continue to occur but their frequency has diminished as Taiwan has shown increasing sensitivity to human rights concerns in recent years.

The Constitution, which guarantees such fundamental human rights and liberties as personal freedom and freedom of speech, press, religion, petition and assembly, was adopted by the National Assembly of the Republic of China in 1946. In 1948, however, the same body enacted the "Temporary Provisions Effective During the Period of Communist Rebellion" and declared martial law. These laws suspend indefinitely all the Constitution's guarantees of individual rights and freedoms. They also confer upon the authorities the right to control the press, censor the mails, prohibit strikes, conduct warrantless searches, register property, and prohibit meetings.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is proscribed by Taiwan law and its use is denied by the authorities. Reports of torture in Taiwan are now rare; none came to the attention of the United States Government during 1978. When such reports appeared in the past, they were usually associated with pretrial detention and the extraction of confessions. The Amnesty International Report on Taiwan for 1977 remarked that torture was used in some instances during interrogation. While mistreatment may still occur occasionally, it is very difficult to verify.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Imprisonment is the usual form of punishment in Taiwan. While those convicted of sedition under provisions of martial law can be sentenced to death, only one person has been executed on sedition charges in recent years. A few individuals convicted of non-political crimes such as murder or, in some cases, armed robbery have also been given the death sentence. Prison conditions on Taiwan have been improving lately but reports alleging inadequate medical care continue. There have also been allegations of degrading treatment during periods of detention. Such

treatment has reportedly consisted of continuous interrogation lasting several days without opportunities for the detainee to sleep, bathe or change clothes. The Department of State does not have enough information to make a judgment on the validity of these reports.

c. Arbitrary Arrest or Imprisonment

In the 1950s there were reports of people disappearing without word of their fate. Arbitrary arrests are now infrequent, although individuals suspected of "sedition," as defined in martial law provisions, have in past years been detained and held incommunicado for weeks and at times months without being formally charged or tried. However, in most cases, persons detained under the martial law decrees are either indicted after an initial period of detention or released. Under provisions of the Criminal Code, the length of the detention period in such cases may be as long as four months. The major example of arbitrary detention in 1978 was the case of a prominent Taiwanese political activist, Chen Chu, who was arrested in June after the authorities found anti-government literature in her apartment. She was detained for two weeks without access to her family or lawyer, after which she was released.

d. Denial of Fair Public Trial

Stringency in the application of martial law has varied over time and with individual cases. Opposition to "basic policy," e.g., expressing views contrary to the authorities' claim to represent all China, advocating accommodation or contracts with the People's Republic of China and supporting independence for Taiwan, are considered seditious and punishable under martial law. The authorities continue to try civilians suspected of "sedition" in military courts. Normal *habeas corpus* procedures do not appear to be applied in a consistent fashion in such cases, although the accused is represented by counsel once the trial begins. In the recent past, members of the accused's family have been allowed to attend the trials and occasionally even carefully selected members of the public as well. While appeals to higher military courts in some cases result in reduced sentences, lower military court convictions have not been reversed.

e. Invasion of the Home

In contrast with the situation two decades ago, invasion of the home is not a common practice in Taiwan. The non-violent searches which do occur are normally, though not always, authorized by a warrant. Warrantless searches, like those properly authorized, have been conducted in an effort to obtain incriminating evidence.

2. Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The authorities on Taiwan have an impressive record in helping to fulfill the basic needs of their people. The gap between the rich and the poor is steadily narrowing and in terms of income distribution Taiwan's society is one of the most egalitarian in the world. The ratio of per capita income between the top twenty percent and bottom twenty percent of the population has been reduced from about five to one in 1966 to about four to one in 1976, against a background of rapid economic growth in a relatively free market economy. Programs have been designed to ensure that rapid industrialization does not exacerbate the moderate disparity that exists between the rural and urban sectors. Tax policy is designed to alleviate the direct tax burden on lower income groups by emphasizing collection of tariffs and sumptuary taxes while maintaining a high degree of progressivity in the personal income tax structure. Rapid and large-scale urbanization results in somewhat congested housing in

Taiwan's major cities. Nevertheless, slum conditions are gradually ameliorating and housing in both rural and urban areas is generally adequate. In February 1978 it was announced that public housing has been included in a list of major new construction projects to be undertaken under the first (1976-1981) and second (1982-1987) six-year economic development plans. An increasing number of families are beginning to enjoy modern conveniences and luxury items. For instance, the number of TV sets per 1,000 households increased from 175 in 1968 to 878 in 1975.

Taiwan has developed an effective public health program and a system of health stations throughout the island. All major epidemic diseases have been brought under control. Health promotion programs include maternal and child health, family planning, school health, dental health, special care for disabled children, communicable diseases control and environmental sanitation. According to United Nations statistics, in 1977 Taiwan had one hospital bed for every 444 people and one physician for every 1,377 people. Life expectancy is among the highest in the world. Adult literacy on Taiwan is 93 percent. About 4.5 million people, 27 percent of the population, are presently in school. In 1968, a nine-year free education system was instituted. Six years of elementary school and three years of junior high school are compulsory for all children over the age of six. About sixty percent of junior high school graduates pass examinations and enter three-year senior high and vocational schools. Taiwan's extensive system of universities, colleges, junior colleges and other institutions of higher learning currently enrolls, through competitive examinations, almost 300,000 undergraduate and graduate students.

People in Taiwan enjoy a good diet. Per capital calorie and protein intakes have gradually increased since the 1950s, reaching in 1977 estimated intakes of 2,780 calories and 76.5 grams of protein per day. These are among the highest in the world.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Individuals are not free to question publicly basic policies of the authorities. Martial law gives the authorities the right to limit freedom of speech and freedom of the press, both of which are guaranteed by the Constitution. (See Introduction and Section 1.d.) The authorities conduct post-publication censorship and recall articles and publications that oppose "basic policy" or which are regarded as excessively critical of the leadership. They also censor foreign publications, but in recent years have lessened restrictions and allowed greater access to information on developments abroad.

Several outspoken publications have been suspended or banned by the authorities, and there are credible reports of independent newspaper owners being forced to sell out to officially sanctioned purchasers. The papers then change political orientation. The Government Information Office announced in March 1978 that a one-year suspension of registrations for new magazines would be effective immediately. It also announced that no books, pictorial matter, speeches or biographies concerning officials could be published without pre-publication screening by either the official involved or the Government Information Office. A serious recent violation of freedom of the press occurred in March when police and internal security forces seized a new book critical of establishment efforts to defeat independent oppositionist candidates in the November 1977 local elections. Copies of the printed but still unbound book were confiscated as they were being assembled at a publishing house in Taipei.

The labor force on Taiwan is composed of 68 percent men

and 32 percent women. In 1970 the figures were 70 and 30 percent, respectively, and in 1965 they were 74 and 26 percent. There is no meaningful tradition of trade unionism, and labor unions do not exercise significant influence in either the economic or political sphere. While labor unions are permitted to organize, walkouts and strikes are prohibited under martial law. Labor organizations have, however, been moderately successful in gaining concessions from management. Slowdowns to voice workers' demands have been successfully employed; and there have been instances of threats of violence against management and destruction of company property. A shortage of workers in the manufacturing sector has also forced employers to heed labor's demands for higher wages, increased fringe benefits and better working conditions. The average monthly earnings for a worker in manufacturing rose from US \$34 in 1969 to US \$168 in 1978 as the average monthly hours worked dropped from 238 to 223.

The authorities on Taiwan consider themselves the upholder and defender of the ancient Chinese Confucian tradition, a tradition which permeates all levels of society. There are few laws biased against women, and those which relate mostly to divorce issues and inheritance. However, Confucianism's strong anti-feminism has resulted in pervasive and ingrained social patterns that relegate women to a clearly subordinate role. Rapid industrialization and a gradual liberalizing trend throughout society are now changing the status of women. A fledgling "women's rights" movement is slowly growing. The authorities are suspicious of this movement both because it attacks some of the fundamental tenets of Confucianism and because they tend to see any group which is critical of the established order as "subversive".

Insofar as purely theological dogma is concerned, there is freedom of religion on Taiwan. The predominant religion is a combination of Buddhism and Taoism. Other religions include Christianity and Islam. Some pseudo-Buddhist sects and Reverend Sun Myung Moon's Christian Unification Church have been banned. The bans appear to reflect the authorities' concern about the social policies of these sects rather than their religious beliefs.

In 1977 the Presbyterian Church in Taiwan (100,000 members) issued a "Declaration on Human Rights". This document has become controversial in Taiwan, and has placed Taiwan's Presbyterians in direct opposition to the authorities' basic policy of the unity of China, by calling for the creation of an independent Taiwan. The authorities view the manifesto as a highly political document which calls their very legitimacy into question. In the spring of 1978 they attempted to block the reelection of Reverend Kao Chun-ming, one of the Declaration's authors, as Moderator of the General Assembly (highest governing body) of the Presbyterian Church in Taiwan. The Presbyterians claim the authorities have denied exit permits to Presbyterians traveling on General Assembly or church business, demanding that they apply as individuals instead. Reportedly, the authorities have also attempted to seize church records listing deacons and other church officers, and have seized bibles printed by the Presbyterians which have been romanized in Taiwanese (that is, bibles transliterated in the Taiwanese dialect and printed in roman script; the island's official language is Mandarin Chinese).

The Constitution provides for freedom of assembly, but martial law powers have been used to ban public meetings by those suspected of dissident views.

b. Freedom of Movement within the Country, Foreign Travel and Emigration

There is general freedom of internal travel in Taiwan except to sparsely populated mountainous areas, for which a police pass is required to control entry into secure areas and to protect the aborigines from exploitation....

There are credible reports of people who have been denied

exit permits for security reasons or because they or their relatives abroad have criticized the political establishment. A few foreigners have been denied entry visas on political grounds.

c. Freedom to Participate in the Political Process

Since 1950, democratic institutions have been established at the provincial and local levels and have functioned reasonably well. Universal suffrage exists for all citizens twenty years of age and over. Elections have been held regularly over the past two decades for all local (i.e. Taiwan Province) legislative offices and for the chief executives of cities, counties and villages on Taiwan. However, the governor of Taiwan Province and the mayor of Taipei City are both appointed by the central authorities.

Since the authorities on Taiwan maintain their claim to be the sole legal government of all China, there are a series of central entities over and above those which pertain solely to the island of Taiwan. Among these are the National Assembly, which elects the president and vice president, and the Legislative Yuan, which is the central legislature. There have been no general elections to these two bodies since 1948, the authorities taking the position that such elections cannot be held until they reestablish control over the mainland. Since 1969 "supplementary elections" for these central bodies have been held in order to choose additional officials from Taiwan and adjacent islands. These elections have not substantially altered the composition of the central bodies.

Despite the theoretical existence of two opposition parties, Taiwan is effectively a one-party state. Candidates who oppose the Nationalist Party (Kuomintang, or KMT) run as independents. Even though the majority of the candidates elected are from the KMT, independent candidates have increasingly been successful in the recent past. The success of KMT candidates rests partly on general approval of the political establishment's economic and social programs and partly on the restrictions placed on the civil and political rights of its opponents, e.g., the limitations on free speech, assembly and political organization. The press on Taiwan gives great prominence to KMT candidates but tends to give little or no publicity to the views and positions of the independents.

On December 15, 1978 President Carter announced that on January 1, 1979, the United States would establish diplomatic relations with the PRC and sever diplomatic and other official relations with Taipei. Taiwan's President Chiang Ching-kuo subsequently cancelled the National Assembly and Legislative Yuan supplementary elections which had been scheduled for December 23, 1978. At the same time, stricter controls on the press were introduced and more rigorous censorship was applied to publications entering Taiwan from abroad. President Chiang took these actions under martial law provisions which allow him to "take emergency measures to avert imminent danger to the security of the state. . . ." The Taiwan authorities have said that the elections will be rescheduled for an as yet unspecified future date.

4. Attitudes and Record Regarding International and Non-government Investigation of Alleged Violations of Human Rights

International organizations such as Amnesty International have visited Taiwan and met with officials there. In 1976 the Premier offered to allow a visiting U.S. Congressional delegation to visit Taiwan prisons, but the invitation was declined. President (then Premier) Chiang Ching-kuo, in his December 1976 address to the National Assembly, stated that "we want the world to know the truth and we shall be glad to cooperate with the investigation [of Taiwan prisons] by any international organization that is based on good will toward us." Thus far, this offer has not been taken up. □

I was granted many privileges which, by the way, I did not ask for: I lived with my companion* in an apartment at the Pyongyang International Hotel and had the use of a chauffeur and car. We lived altogether in great comfort, but nevertheless we felt stifled. I was never able to approach any Korean on a personal level, for instance to invite him and his family to dine with us or to visit his home myself. I discussed this overwhelming feeling of isolation with other foreigners with whom I came into contact and, without exception, they confirmed my own feelings. However much my sympathy lay with the great work of national construction of the Korean people, I could never communicate directly with them and learn more about the workings of Korean society, but constantly felt the barrier which had been erected around me.

Briefly, my work in North Korea involved translation into the Spanish language of certain materials, such as the collected works of Kim Il Sung and the promotion of these texts throughout the Spanish-speaking world. I worked at the Department of Foreign Publications, with other foreigners engaged on similar projects with whom I became friendly. One of these colleagues, for example, was Jacques Sedillot, a Frenchman, who was arrested at the same time, in September 1967. We were tried separately, and, as in my case, Sedillot was sentenced to 20 years' imprisonment.

First Arrest and Detention

My arrest came as a complete surprise. Only three days earlier, I had been present at a big dinner given by the Director of the Department of Foreign Publications (who was, I believe, later arrested and imprisoned in connection with the charges against me), and I was not aware of any undue tension. Not long previously I had expressed some uncertainty about my work, as did my colleague Sedillot; we both felt that the exaggerated claims that were being made by the North Korean authorities regarding the progress made in their country would be considered too blatant propaganda in the societies we were trying to reach through our translations, but such reservations had been voiced only privately in the Department.

Nine people came to my apartment to arrest me. Two of them were in the uniform of the police, the others were agents of what is called Public Security. I was told I was being arrested as an enemy of the Democratic People's Republic of Korea, having violated Korean law. Nothing more specific was said to me, and they were not willing to discuss the laws or charges related to my arrest.

I was taken to a prison cell and interrogated by the authorities. It was demanded that I "confess." I was denied food. On occasions I was taken out of my cell at noon and not allowed to return until midnight, during which time I was continuously interrogated. There were many ways in which they would apply pressure. The usual pattern of the interview would be that I was

ordered to "confess." To this I would reply "To what do I have to confess?" I would then be told: "You know what there is to confess. Talk." I would insist: "But if it is you who are accusing me, you tell me." So it went on, always. They sit a man down and try to convince him he has committed crimes; they insult him and demand a "confession."

The conditions of the prison were appalling. No change of clothes in years, nor of food plates. The place lacked proper sanitary facilities. And then there was the isolation of prisoners. Young prison guards newly assigned to the camp often expressed their amazement at such conditions.

Hunger was used as a means of control. For months, a prisoner would be deprived of adequate food. No more than 300 grams [10.6 ounces] per day was given to each prisoner. The food provided in the prison was fit only for animals. In my opinion, it is preferable to be beaten, as it is possible to grit one's teeth and withstand physical beating. To be continually starving is worse. They generally didn't beat or torture me like they did the others. However, once the guard gave me a beating and kicked me with his boots, also hitting me on my bare feet which were badly swollen. He kicked and punched me just for not having saluted him or something like that. No, I was not tortured, if by this one means the systematic infliction of pain; but if terrible hunger and continual nastiness come under this definition, then I was.

In fact, beating was also used as a means of persuasion during interrogation. While in my cell, I could hear the cries of other prisoners. You can soon learn to distinguish whether a man is crying from fear, or pain or from madness in such a place.

I could not change my clothing at all, and a prisoner is soon covered in dirt, living in those filthy cells. The cells are also damp, and I should say that for eight months during my first period in detention I was sick with fever. I believe at times I lost consciousness.

It is impossible for me to say how many people were at that prison. It could certainly have been more than a thousand. The cells are extremely small, perhaps two meters long by one meter wide, and three meters high. There are no rights for the prisoner, no visits, parcels of cigarettes or food or opportunity to read a book or newspaper, or write. The process of "rehabilitation," as they call it, must start straightaway, and also the "self-examination" of the crimes that the prisoner has reportedly committed, to purify the self.

Apart from the noise of people crying out and screaming which could be heard at times, I also knew of people who coughed blood. There was very little medical attention; if the doctor did visit it was only to prescribe something for the fever from which all prisoners suffered. I once spoke to such a doctor, who did in fact tell me that he was unhappy with the work he was detailed to do by the Ministry of Security, since his medical practice consisted of dispensing palliatives for fever and diarrhoea. As far as I know, the only medicines used to treat the prisoners were terramicine and edible oil.

Prison regimen was always the same: the prisoner sat

* Ali Lameda's friend, a foreign woman, with whom he lived in Pyongyang at the time.

for 16 hours a day looking at the wardens and the prison bars. The cell had bars from the ceiling to the floor, and between cells was a passage where the guards patrolled. Prisoners must stay awake throughout the day, the official explanation went, since how could a prisoner continually ponder his guilt if he slept?

We were given food rations three times a day: at seven o'clock, one o'clock and then again at seven o'clock. The meal consisted of a piece of dirty bread, weighing about 250 grams, and a bowl of soup, which was water with a few pieces of vegetable in it. The metal dishes the food was served from were always filthy, the same ones the prisoners had been using for years.

Release and Second Arrest

I was held prisoner by the Ministry of the Interior for a year. In the meantime, my companion had remained living in our apartment. When I was released a year later, I was in terrible physical condition due to the treatment I had received in prison. I was led to believe that, after going through a period of house arrest of two months, I was to be released unconditionally. It was my understanding that although my companion was to leave the country before me, [I would be allowed to depart later]. I was permitted to accompany her to the airport, and I returned to the apartment to pack my bags.

Then, at about five or six o'clock in the evening, the police returned. They seized all my belongings in the apartment and told me to make a note of everything I had there, my books and so on. The behavior of the arresting officers was much more brutal and abrupt than it had been at the time of my first arrest. I asked why I was being arrested a second time, and was given the answer: "You know why." They told me that I had failed to keep my word, and had made certain denunciations, again resorted to propaganda against Korea, resuming my role as an imperialist spy. Presumably, they had installed a microphone in our apartment and recorded my conversation with my companion. What did they expect me to say to her, when I returned from a year's detention in such a bad physical condition, having lost 22 kilograms in weight [more than 50 lbs.], my body covered in sores and suffering haemorrhages. I was a very sick man, and it was obvious to my companion what treatment I had suffered in detention without my having to spell out what I had undergone. My literary work had been confiscated on the orders of the Party Central Committee; it was described as "bourgeois filth," and the authorities wanted me to tell my companion that on my own orders it was to be burnt. It was unbelievable that I should tell her any such thing about my work, my life's work. Certainly, this period when I was re-arrested, after believing I was at last to be released, was one of the worst moments I was forced to endure.

Trial

Again I was interrogated, and this time the conditions, and the food ration, were even worse. However, my trial was not to be held before a tribunal, if indeed

it is possible to call what happened a trial. The tribunal was under the direction of the Ministry of Internal Security and, apart from members of the tribunal, there was a representative from what they call the High Court who acted as both judge and prosecutor. I was also provided with a so-called defense counsel. The only other people present were two uniformed policemen and a young man who acted as interpreter. The trial lasted for one day, from nine o'clock in the morning till five o'clock in the afternoon. I was suffering from fever and did not eat all day. It was stressed throughout the trial that I had committed a political offense, which was considered far worse than offenses by common criminals.

The pattern of my trial followed that of the interrogations I had undergone. It was demanded that I confess my guilt. The tribunal did not make any specific accusations—there were no formal charges—but the accused has to accuse himself before the tribunal. Thus there was no necessity for the tribunal to produce any evidence. I had no right to defend myself, I could only admit guilt. The basis for the tribunal's condemnations is the confession of the prisoner and the prosecutor told me that I should speak out and confess everything to purge myself of my crimes. I insisted that I had committed no crimes, that I had only come to Korea as a servant of the government. During the trial, I asked for a lawyer of my choice and that the tribunal should be made open, but such demands were dismissed as bourgeois. When I tried to ask questions, I was abruptly interrupted and told that I had no rights in defending myself. The prosecutor eventually informed me that I had been in Korea to sabotage, spy and introduce infiltrators. To this I could only reply that I had been invited to Korea by the government and that allegations that I was under the control of the CIA were absurd. The prosecutor read a small extract from the Penal Code, which emphasized the gravity of my crime. As a political offender, I had committed a crime against the basis of the Korean state. In summing up, the prosecutor demanded the maximum penalty for the crimes I had committed. The so-called defense counsel, whom I had seen for just half an hour, made a lengthy eulogy of Kim Il Sung, and in lodging my plea, asked for 20 years' imprisonment. The tribunal retired for just five minutes, and then returned to sentence me to 20 years' imprisonment with forced labor.

Life in Prison

Ten minutes after I had been sentenced, I was brought a bowl of soup, since I had been before the tribunal all day without even drinking a glass of water. I was told that I would be sent to a prison camp, where I was to learn an occupation, thus rehabilitating myself through work. At the end of my trial, I asked if I would be allowed to receive letters from my family and friends while in detention at the camp, and I was assured by members of the tribunal that this would be so. However, I received absolutely nothing during my terms of imprisonment, in spite of the numerous parcels and letters that were apparently sent by my family and friends in Europe. I appealed to the camp authorities

several times during the early period of my detention to be allowed to write to my family to ask for a small amount of money with which to buy some sugar, for example, but my requests were continually refused. They never gave me the chance to learn a trade as they had promised. Perhaps they decided not to let a foreigner such as myself mix with hundreds of Koreans in the camp or in the workshop.

I was transferred to the concentration camp by van, handcuffed to the bars of the vehicle. The temperature outside was very much below freezing point. Opposite me in the van, sitting on a chair, was the guard, who throughout the journey spent his time loading and unloading his gun in a threatening manner. The roads along which we travelled were dirt tracks. Outside, the howls of wolves could be heard. The journey lasted about three hours, and by the time I arrived at the camp I was in such a poor condition that the captain who initially received me immediately sent for medicines. I was then pushed into a filthy hole, where I slept on the bare floor, with no blanket or mattress, in freezing temperatures. This was only a temporary cell, but I remained there constantly handcuffed for three weeks. I felt my wrists would break with the strain.

Following this, I was transferred to the main camp, only a couple of kilometers away. This was done at about ten o'clock at night, still in the middle of winter. The cell I was then taken to again had no heating, except for a pipe running through it which became warm for approximately five minutes each night. The windows were iced up and my feet froze. My feet remained in this condition for a month and a half, my toes were swollen with frostbite. I can feel the effects of this to the present day. Some doctors did eventually come to see me, but by then my toenails had all dropped off and my feet were covered in sores.

I later learned that the name of the camp was Suriwon, after the nearby town. I had been put in a punishment cell, which should not really have happened, but since I was a foreigner, and it was the first time a foreigner had ever been held at the camp, there was no isolated cell in which to hold me. As a foreigner, I was not to be allowed to come into contact with the other inmates. [Thus I was placed in one of the cells normally intended for] prisoners who have not been sentenced or for those who have disobeyed camp regulations, willfully damaged a machine during work, or some such offense. The periods these prisoners spent in the punishment cells, however, were comparatively short, since every prisoner in isolation there was not available for work, and no prisoner is permitted to remain idle during detention in this camp.

There were at least 6,000 people held at the camp, according to information gleaned from the guards or orderlies. Some of the guards and orderlies would communicate with the prisoners. Apparently, the camp was a huge circular place, with an enormous courtyard. One doctor told me that there were about 1,200 people sick in the camp, who were kept in a special part, so with that large number sick, I calculated, using all the

information I could gather, that the total number of prisoners were no lower than 6,000 to 8,000 people. The prisoners were forced to work for 12 hours a day—mechanical work, making jeeps for example, which was, of course, unpaid. There was no agricultural work done at this camp. But outside the camp there were several farms worked by political prisoners; potatoes, root vegetables, pumpkins and *ahuyama* were grown there.

According to a man whom I met while at this camp, there were as many as 150,000 people detained throughout the whole country. It was possible to piece together little scraps of information that the guards let slip. I calculated that, if in the camp in which I was detained, there were about 6,000 to 8,000 inmates, and that in the whole of North Korea there may be as many as 20 such camps, including places where women prisoners were kept, the total prison and camp population would be in the region of 150,000, comprising both political and criminal prisoners. [This would be between one and two percent of the adult population.]

The main source of my information was the orderlies, who were themselves prisoners but who, through good behavior, had won the privilege of becoming an orderly. They still had to work hard, but at least they could move around the camp, serving the meals three times a day. Some of the orderlies had even been in other camps before being transferred to Suriwon, so I could be sure of the existence of other similar camps.

Women were also held at the camp. One day, when I had been in the punishment cell in isolation, I observed by chance a group of about 200 women arriving at the camp. Later, I discovered that some of them were imprisoned for theft, for example, and one of them, I was told, was imprisoned because of her habit of smoking cigarettes. Apparently she was the wife of an employee of the Ministry of Commerce, about 33 years old or so, and had two daughters. The woman had had to keep the fact that she smoked secret even from her husband, and would smoke only in the toilet of their apartment. It was while at the office where she worked that she was accused, by a colleague, of smoking, since the colleague could smell stale cigarette smoke about her person. The woman was summoned by the party cell to which she belonged and was "sent down to production," which meant being sent to work in either the iron or mining industry. She spent two years doing this harsh labor, separated from her husband and family. However, she had continued to smoke cigarettes there and was one day discovered doing so. Again, she was summoned before her party cell and this time was sentenced to a term of imprisonment in the concentration camp, to rid her of the vice of smoking cigarettes. For a woman to smoke in Korea is a crime which merits this type of sentence; only the old women are exempted from this. Women may be given access to education, but there is widespread discrimination against them in Korean society. In the camp, though, the women must work, at making mattresses. This was just an example of the type of prisoner who could be found at the camp. □

CROSSREFERENCE (continued from page 13)

27-MPR. Writers. Mongolia Writers' Union chairman P. Tsedab: "Under conditions of aggravated ideological struggle between socialism and capitalism, the 'masters of literature' are faced with the task of resolute struggle against reactionary anti-Communist trends, Maoist great-power hegemonism, and nationalism."

Unen-2F†1M

27-C. Scientists. In the Lanzhou area of Gansu (China's new science-development center) 5,400 scientists who had been "misplaced" have now been reassigned to appropriate posts (BJ4A†1m). During the Cultural Revolution, Academy of Sciences photoelectric technicians were persecuted and/or removed to remote areas, including 40 who were sent from the northeast to a "little-known mountain valley in the southwest" under a "host of false charges" (BJ26F†2M). Academy of Sciences member Zhao Mingxin "was persecuted and died" in 1966; the "slanders and false charges" which were leveled against him have now been repudiated (SH15†16F).

EDITORIAL (continued from page 1)

But how seriously did Carter attempt to bring Park Chung Hee into line? Did Carter really make the point that the United States is less interested in protecting Park from his critics than protecting the Korean people from all forms of oppression? According to Presidential spokesperson Han Tai Yol, as far as he knew the subject of human rights did not even come up in the conversations between Carter and Park. If the subject was raised, we suspect, it was done so delicately that Park could safely ignore the issue, and bask in the reflected political glory of the American presidential visit.

Both men deserve some credit for the announced release two weeks later of 86 dissidents, mostly university students (NYT-18j). It is hard to imagine that Park would have freed these people in the absence of American encouragement. On the other hand, it is inconceivable that South Korea would have *any* political prisoners if the United States really insisted that they all be released. After all, few rulers in the world have been more dependent upon Washington's support than has Park Chung Hee.

But it is not only political imprisonment that worries us. Park, it appears, will stop at nothing to stifle and even brutalize the opposition. On August 11, over a thousand riot police and plainclothesmen raided the offices of the opposition New Democratic Party, killing at least one, and injuring many others. Four members of Parliament required hospitalization. When day broke, the building was in shambles, and blood was everywhere.

The "crime" of these men and women had apparently been their effort to help unemployed workers, mostly young women, who had no place to live and were staying in the same building. Or is the Party's real crime the fact that it appears to be vastly more popular among South Koreans than is the ruling Democratic Republican Party?*

If this is the case, then we would remind Park Chung Hee, and Jimmy Carter, that according to Article 21 of the Universal Declaration of Human Rights, "The will of the people shall be the basis of the authority of government." □

*The opposition NDP won more votes in last December's election than Park's DRP, but under the Yushin Constitution is still not entitled to assume power.

Our thanks to Elizabeth Berseth, David Eisner, Mab Huang, David Thompson and India Trinley for helping put together this issue of *SPEAHRhead*.

NEW KOREA RESOURCES

The Cry of the People Committee has published a volume of reprints, *The "PRP" State Conspiracy*, edited by Elaine Pearce and Lynn Miles. The work consists of 74 pages of English-language articles related directly to the so-called People's Revolutionary Party case of 1974. The Seoul government has executed at least eight people accused in connection with this case, despite a widespread belief that the whole matter was fabricated by the Korean Central Intelligence Agency. *The "PRP" State Conspiracy* (paperbound) is available for a contribution to the Committee. Send check payable as indicated on page 27 to Box 1212, New York 10025, and allow two months for delivery.

The American Friends Service Committee has prepared a "Poetry Reading for Imprisoned South Korean Poets." Included in this 25-page publication are the poems of imprisoned poets Yang Son U, Kim Chi Ha, Koh Un and Chang Gi Pyo, along with background information. Available for \$1 from AFSC, 1501 Cherry St., Philadelphia, PA 19102, USA.

ICJ Mission to Seoul

In late April the International Commission of Jurists sent a two-man mission to South Korea to investigate the problems faced by lawyers who defend political dissidents.

The mission was composed of two distinguished lawyers, John Woodhouse from New Zealand, and Adrian DeWind from the United States. While in Korea, they met with the foreign minister and minister of justice, as well as with members of the political opposition and religious groups.

The pair found that the independence of lawyers had been severely curtailed, and lawyers who provide legal defense for political dissidents have been under severe government pressure. Of the 13 or 14 cases of disbarment since 1970, approximately 40 percent have involved human rights lawyers, even though human rights lawyers comprise a miniscule percentage of all lawyers.

At present, there are only about a dozen remaining barristers who are willing and able to defend dissidents who insist on pleading not guilty. Many of the other lawyers have been so harassed that they have ceased to engage in this type of practice. Some have had criminal charges brought against them. Others have been the targets of tax investigations.

Thus, arrested dissidents often find it difficult to obtain counsel. When they do engage a lawyer, the advice is usually to plead guilty. There has never been an acquittal in political case under the Park dictatorship.

Note: The above account was prepared for the Summer issue of *SPEAHRhead*, but had to be excluded for lack of space. A complete report on the DeWind-Woodhouse mission subsequently appeared in the *Newsletter* of the American Association for the ICJ (777 UN Plaza, New York 10017).

Some Questions Concerning Socialist Democracy

The following is a selection from an article by Wu Jialin, which appeared in *Beijing Review* in June 15. Unlike some other writers who publish in the official media, Wu speaks rather favorably of Western democracy, and argues only that socialist democracy is theoretically (rather than actually) superior.

For many years in our society, there has been a "Leftist" trend of thought acknowledging dictatorship without acknowledging democracy. Some people wrongly equate democracy with bourgeois democracy. As they see it, democracy is the kind of thing connected with the bourgeoisie, not the proletariat.

Bourgeois democracy and socialist democracy are two different but inter-related things. But, for many years, people have talked more about their differences, less about their inter-relationship.

The main manifestations of the essential difference between bourgeois democracy and socialist democracy are:

One, bourgeois democracy is based on the system of private ownership and serves the capitalist economic base, whereas socialist democracy is established on the basis of public ownership and serves the socialist economic base.

Two, bourgeois democracy is democracy for the exploiters, to be enjoyed by a few, whereas socialist democracy is democracy for the labourers, to be enjoyed by the many.

In spite of this big difference between the two, they are also inter-related, mainly in the following ways:

One, both are opposed to feudal autocracy and personal dictatorship, both are the antithesis of autocracy, and both seek liberty, equality and human rights (although the proletariat and the bourgeoisie understand liberty, equality and human rights differently).

Two, socialist democracy develops from bourgeois democracy; the two have historical ties.

Three, subject to transformation, certain specific forms of bourgeois democracy can be taken over and made use of by the socialist system of democracy.

Some people have absolutized the difference between bourgeois democracy and socialist democracy, taking the attitude of disclaiming and negating bourgeois democracy altogether and thinking that socialist democracy must sever its

ties with bourgeois democracy because there should not be any ties or any common ground between them. This viewpoint is theoretically wrong and harmful in practice.

Take the form of democracy for instance. The universal, equal and direct electoral system by ballot is a thing to be made use of. A larger number of candidates than the deputies to be elected gives the voters a greater choice — isn't this more democratic than the method under which the number of candidates is equal to that of the deputies to be elected? The members of parliament in some bourgeois states have a way of contacting the people in their constituencies. Isn't there something in this for us to think about?

Therefore, on the question of democracy, we must also sweep clean the pernicious influence of sealing ourselves off from the outside world and engaging in self-aggrandizement, emancipate our minds, and broaden our visions. We should, like Lenin had taught us, "develop democracy to the utmost, seek out the forms for this development, test them by practice" (*The State and Revolution*) so as to further improve our socialist democratic system and ensure that this country under the dictatorship of the proletariat will not change colour politically.

Socialist democracy is superior to bourgeois democracy. This is determined by the nature of the socialist system. Our socialist system determines that our socialist democracy should and can be superior to bourgeois democracy. But, "should be" does not mean "actually is" and "can" does not denote "in reality." It is, to say the least, a naive illusion to think that the system of socialist democracy arises and becomes complete of its own accord without a long period of practice and hard struggle.

For a long time, Lin Biao and the "gang of four" damaged socialist democracy; now if we want to make socialist democracy a genuine democracy we must strengthen our democratic system and improve our democratic life, and thus institutionalize socialist democracy and normalize the people's democratic life. Only in this way can we give full scope to the superiority of socialist democracy.

LEGEND

† This symbol indicates that our source is a broadcast transcript. Before the † will appear the location of broadcasting station, and the date of origin. "Date of origin" means the date of the original report, which in some cases will be the date the report was first published (as in a newspaper), rather than date of broadcast. If different, the FBIS date follows the †. (U.S. Foreign Broadcast Informa-

tion Service, *Daily Report*). FBIS volume number (IV, in the case of the People's Republic of China) is omitted if obvious. Years are not indicated except for items more than 9 months old. Broadcast dates are Greenwich Mean Time.

[] A two-digit number in brackets indicates the relevant article of the U.N.'s Universal Declaration of Human Rights (1948). See page 2.

A April
a August
AFP Agence France Presse
AH Anhui Province
AW *Asiaweek*
BJ Beijing (Greater Peking)
BR *Beijing Review*
C China, People's Republic of
c circa
D December
F February
FEER *Far Eastern Economic Review*
FJ Fujian Province
GD Guangdong Province
GM *Guangming Daily*
GS Gansu Province
GX Guangxi (Zhuang) Autonomous Region
GZ Guizhou Province
HB Hubei Province
HEB Hebei Province
HEN Henan Province
HK Hong Kong
HL Heilongjiang Province
HN Hunan Province
I January
J June
j July
JL Jilin Province
JP Japan

JR U.S. Joint Publications Research Service (final digits of document number)
JS Jiangsu Province
JX Jiangxi Province
K Kyoto
LN Liaoning Province
M March
m may
MPR Mongolian People's Republic
N November
NK North Korea
NM Nei Monggol (Inner Mongolia) Autonomous Region
NX Ningxia (Hui) Autonomous Region
NYT *New York Times*
o October
PD *People's Daily*
PRC People's Republic of China
QH Qinghai Province
R Reuters
S September
SC Sichuan Province
SD Shandong Province
SH Greater Shanghai
Sh *SPEAHRhead*
SK South Korea
SN Shaanxi (Shensi) Province
SX Shanxi (Shansi) Province

T Tibet (Xizang Autonomous Region)
TJ Tianjin (Greater Tientsin)
TK Tokyo
TW Taiwan (Republic of China)
U Union of Soviet Socialist Republics
XH Xinhua (New China News Agency)
XJ Xinjiang (Uygur) Autonomous Region
YN Yunnan Province
ZJ Zhejiang Province

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INSIDE

SPEAHR seeks to advance the cause of human rights in China, Taiwan, Mongolia, North and South Korea, and among the Asian ethnic minorities in the Soviet Union.

We view the struggle to promote human rights as virtually synonymous with the struggle to promote non-violence. Our conception of non-violence is a broad one. It is as violent to permit people to starve as it is to torture them. It is as violent to imprison people because of their beliefs as it is to kidnap them for ransom.

We are confident that the best solutions to the many social and economic problems will emerge from within these societies, once the various political groups interact non-violently—i.e., respect each other's human rights. We are convinced that ruling groups waste much of their nations' resources and human energy when they attempt to eliminate dissent. And when a particular social policy is adopted simply because its advocates enjoy the preponderance of force, there is no reason to believe that the policy is more desirable for the people affected than alternative policies.

Only when the issues are debated by a public with access to a range of ideas and information, do we have some reason to hope that the more socially advantageous paths will be followed by those in authority.

People's Republic of China

More on Li-Yi-Zhe (Page 5)

"Unreasonable Discipline" in Shanxi Province (3)

Elections for China? (4)

Who Reads the Dissident Literature? (5)

Wu Jialin, "Socialist Democracy" (26)

Tinley Akar on Tibet (14)

Quotations from the Enlightenment Society

Hong Kong

Worrisome Signs (6)

Japan

State Department Report (16)

South Korea

Kim Chi Ha: Two Poems (5)

New Resources (25)

ICJ Mission (25)

State Department Report (16)

Taiwan

Writers Arrested (6)

Voice of Democracy: Hung Chih-liang (7)

State Department Report (19)



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